

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19731 of 2021**

Arising Out of PS. Case No.-308 Year-2019 Thana- BAKHTIYARPUR District- Patna

ASHLOK KUMAR @ SHALOK KUMAR SON OF RUDAL YADAV @
RAJ KUMAR YADAV R/O VILL.- CHAMPAPUR, P.S.- BAKHTIYARPUR,
DIST.- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Tanweer Kamal
For the Opposite Party/s :	Mr. Satyendra Narayan Singh
	Mr. Jay Ram Prasad
	Mr. Niranjana Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

7 09-03-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Bakhtiyarpur
P.S. Case No. 308 of 2019 registered for the offences
punishable under Sections 341, 354, 354A, 354D/34 of the IPC,
Section 27 of the Arms Act and Section 7/11 of POCSO Act.

As per prosecution case, on 20.09.2019 the
informant's daughter was returning from coaching and when she



reached near Champapur Imambara, the petitioner and co-accused Laltush surrounded her finding her alone. The co-accused caught hold the hands of informant's daughter and dragged her upon which her daughter shouted. The petitioner put revolver on her head and they forcibly tried to take her away and petitioner also fired in the air. After hearing the sound of firing nearby people assembled there and co-accused Laltush @ Adityaraj was caught and petitioner escaped from the place of occurrence.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that as per FIR, the allegation against the petitioner is that he put revolver on the head of the victim and also fired in the air and co-accused caught hands of the victim and dragged her. He further submits that police after investigation submitted charge sheet against the petitioner and other accused person on 22.05.2020 and the petitioner is in custody since 03.03.2020.

Learned counsel for the informant and learned Additional Public Prosecutor fairly submit that there is no specific overt-act against the petitioner. They further submit that petitioner carries one criminal antecedent.



Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge- Ist, Patna in connection with Special Case No. 183/ 2019 arising out of Bakhtiyarpur P.S. Case No. 308 of 2019, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail



bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

shahzad/-

U		T	
---	--	---	--

