

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26066 of 2022

Arising Out of PS. Case No.-47 Year-2021 Thana- AUANGARI District- Nalanda

PUNA RAVIDAS SON OF SATYENDRA RAVIDAS R/O- VILL- RASSIA,
P.S.- AUNGARI (PIRBIGHA), DISTRICT- NALANDA, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Senior Advocate

Mr. Onkar Nath, APP

For the Opposite Party/s : Dr. Kumar Uday, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 21-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Aungari (Pirbigha O.P.) Case No. 47 of 2021
corresponding to POCSO Case NO. 66 of 2021 for the offences
under Sections 341, 323, 354(b) (d), 504, 506 and 448/34 of the
Indian Penal Code and section 8, 10 and 12 of the POCSO Act.

As per the prosecution story, the petitioner has
formed a criminal group that teases the women and commit
theft. The further allegation is that the daughter of the informant
was regularly teased and her photographs were clicked and
made viral including the fact that it was sent to the informant's
mobile.

In the case, case diary was called for on 05.08.2022



and the same has been received and the girl in her statement under Section 164 of the Cr.P.C. had echoed the allegation made by the informant.

Learned counsel for the petitioner submits that for the said act, he has already suffered by being in custody since 22.02.2022. He further submits that the petitioner is a young boy of 22 years and as such, he may be given a chance to reform himself. His last submission is that the petitioner has no criminal antecedent.

Considering the aforesaid submission of the counsel for the petitioner as also the fact that he is in custody since 22.02.2022, charge sheet stands submitted and he has no criminal antecedent, this Court is inclined to grant him privilege of bail.

However, if it is found that he has criminal antecedent, the bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned VIIth Additional District and Sessions Judge-cum-Special POCSO, Judge, Bihar Sharif, Nalanda in connection with Aungari (Pirbiga O.P.) P.S. Case NO. 47 of 2021, subject to the following conditions:-



(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every week for one year to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha-

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