

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27179 of 2022

Arising Out of PS. Case No.-53 Year-2022 Thana- BIHAR District- Nalanda

Ajeet Ram, Son of Biltu Ram Resident of Village - Paharpura, P.s.- Bihar,
Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-08-2022 Heard learned counsel for the petitioner and the

learned APP for the State through virtual mode in view of

COVID-19.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Bihar P.S. Case No.53 of 2022 instituted under Sections
341,457,354(b)/34 of the IPC and 8,12 of POCSO Act.

As per the prosecution story, it is alleged that the
petitioner entered the house of the informant in the midnight and
tried to outrage the modesty of her minor daughter.

Learned counsel for the petitioner submits that the
case is entirely different inasmuch as he is owner of the pickup
van and the informant's husband has made a request to keep him
as a cleaner which was refused which led to lodging of the FIR.



He further submits that for the said false implication, he has already suffered by being in custody since 24.03.2022 (as stated in para-18 of the bail application) despite the fact that he has no criminal antecedent.

Considering the aforesaid fact that he is in custody since 24.03.2022 and has no criminal antecedent, charge sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Bihar P.S. Case No.53 of 2022 to the satisfaction of learned Additional District and Sessions Judge, VI-cum-Special Judge, POCSO, Bihar Sharif, subject to 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 cancellation of his/her bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark his/her presence;

(iv) the petitioner 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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