

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32761 of 2022

Arising Out of PS. Case No.-41 Year-2021 Thana- HARINMAR District- Munger

Sintu Yadav @ Nitin Kumar Son Of Dharnidhar Yadav Resident Of Village-
Hanshu Singh Tola, Police Station- Harinmar, District- Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 01-09-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Harinmar P.S. Case No.41 of 2021 registered for the offences
under Sections 341, 354(A), 354(B), 509 and 34 of the Indian
Penal Code and Section 8 of the POCSO Act.

The main allegation is that this petitioner and co-
accused person firstly used abusive languages with the victim
and thereafter both of them started pulling her with an intention
to commit rape on her but in the meantime some nearby
persons arrived and then the accused persons fled away.



The main submissions advanced by the learned counsel Mr. Sanjeev Ranjan for the petitioner are that the alleged offence of 354(B) of the IPC is not made out in this case and other alleged offences of the IPC are bailable and the petitioner has been languishing in jail since 18.04.2022 having clean antecedent.

Learned APP Mr. Yogendra Kumar appearing for the State has opposed the bail prayer.

In view of above submissions and considering the petitioner's young age as mentioned in the petition and his clean antecedent and also taking into account that the investigation has been completed against the petitioner, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Harinmar P.S. Case No.41 of 2021, on 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 below and shall remain physically present as directed by the Court below 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) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(4) The Court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the Court below shall take strict action against him for cancellation of his bail bond.

(Shailendra Singh, J.)

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