

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44192 of 2022

Arising Out of PS. Case No.-78 Year-2022 Thana- MAHILA P.S. District- Patna

Aditya Kumar Son Of Manoj Singh R/O Village- Vikramganj Dhowa, P.S.-
Vikramganj, District- Rohtas, Present Address- Bihari Path, Near Old Bus
Stand, Mithapur, P.S.- Jakkanpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 07-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 323, 328,
341, 354-A, 376, 506 and 509 of the Indian Penal Code and
Section 4/8 of the POCSO Act.

According to the prosecution case, when the
informant was about 16 years old, from that time accused
Aditya Kumar along with his friends used to follow her in his
car and used to ask her to accompany them. When victim girl



got admitted in the college, accused also get admitted himself in the same college and used to follow her daily. Accused sent dirty videos and photograph to her and after coming close to her, accused took the victim girl in his car and tried to disrobe her and start doing illegal acts with her but when victim cried then he left her.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact, the petitioner has performed marriage with the victim girl on 25.11.2022 and now they are living as husband and wife and learned counsel for the State has verified the same.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 learned Court below where the case is pending in connection with Patna Mahila P.S. Case No. 78 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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)

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