

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46641 of 2022

Arising Out of PS. Case No.-714 Year-2019 Thana- FORBESGANJ District- Araria

Azad Anand @ Azad Anand Yadav @ Chhotu Son Of Kamal Kishore Yadav
Resident Of Village - Saifganj Ward No.- 07, P.S.- Forbesganj, District -
Araria.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jibendra Mishra

For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 28-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Section 377 of the Indian Penal Code
and Section 4 of the POCSO Act.

This is the second attempt of the petitioner to seek
bail as earlier the bail application of the petitioner was rejected
by order dated 03.01.2022 in Cr. Misc. No.32862 of 2021.

The learned counsel for the petitioner submits that
petitioner is in custody since 14.10.2020 and the trial has
completed and the case was fixed for judgment when his regular
bail application was rejected by order dated 03.01.2022.

By order dated 07.09.2022, a report was called for



from the learned trial Court in view of the submissions made by the learned counsel for the petitioner, which was recorded in the order dated 03.01.2022 that trial has completed and the case is fixed for judgment, but no report was received to this Court. Thereafter, again by order dated 21.09.2022, the learned trial Court was directed to send the report, but again today when the matter is taken up, no report has been received.

Since the petitioner is in custody since 14.10.2020 and the trial has completed and the case has been fixed for judgment prior to the order dated 03.01.2022, as such, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Forbesganj P. S. Case No.714 of 2019, Special (POCSO) Case No.39 of 2019, subject to condition that one of the bailors of the petitioner shall be his father namely, Kamal Kishore Yadav.

However, in the event, if the learned trial Court comes to a conclusion that the petitioner after release on bail is trying to delay the pronouncement of the judgment in any manner, the learned trial Court shall forthwith cancel his bail bonds after



recording reasons and take him back into custody.

(Satyavrat Verma, J)

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