

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56328 of 2021

Arising Out of PS. Case No.-664 Year-2020 Thana- SUPAUL District- Supaul

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Raushan @ Raushan Kumar @ Roshan Kr. Gupta, aged about 30 years, Male,
Son of Upendar Gupta, Resident of Village- Thakurwari Road, W. No. 26, P.S.
and District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 25-02-2022 Heard the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Supaul P.S. Case No. 664 of 2020 instituted for the offences punishable under Sections 376 (DA)/34 of the Indian Penal Code and Section 4 of the POCSO Act.

Learned counsel for petitioner submits that as per the statement of the alleged victim Lali Kumari, the petitioner has no role to play nor the petitioner has been named in the FIR and the story stated by the girl, is contrary to the FIR.

Taking into consideration the overall aspects, I am inclined to allow the petitioner on bail, in the event of arrest he shall be released on anticipatory bail, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, which are as



under:-

1. The petitioner, above named shall furnish personal bond with his recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer;

2. The petitioner shall cooperate with the investigation and make himself available for interrogation whenever required;

3. The petitioner shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;

4. The petitioner shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police;

5. The petitioner shall not leave the territory of Supaul, without prior permission of the Court, till trial is over;

6. The petitioner shall maintain law and order;

7. The petitioner shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

8. The petitioner shall surrender his passport, if any,



before the investigating officer within a week and, if he does not possess any passport, he shall file an affidavit to that effect before the investigating officer;

9.The petitioner shall regularly remain present during the trial, and cooperate with the Hon'ble court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

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