

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 47776 of 2022

Arising Out of PS. Case No.-880 Year-2014 Thana- SAHARSA SADAR District- Saharsa

Pawan Kumar Rai @ Pawan Kumar @ Pawan Kumar Roy S/o Late Ram
Bishwas Rai Resident of Mohalla - Batraha, Bhartiya Nagar, Ward No. 27,
P.s.- Saharsa, District - Saharsa. At present Resident of Village - Dumri, Ward
No. 2, P.S.- Patori, O.P.- Mohanpur, district – Samastipur. Petitioner/s
Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-11-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Saharsa P.S. Case No. 30 of 2014 (CIS No. 03 of 2015) arising
out of Saharsa P.S. Case No. 880 of 2014 lodged under Sections
366 (A)/34 of the I.P.C. and Section 8 of POCSO Act.

Learned counsel for the petitioner submits that
petitioner moved for regular bail which was granted vide order
dated 15.06.2015 in Cr. Misc. No. 18423 of 2015 annexed in
annexure-1 after furnishing the bail bond, he went outside of the
State for earning, as his learned counsel assured him that
whenever petitioner's presence shall be required learned counsel
will inform him. Learned counsel for the petitioner submits that
after lock-down, when petitioner returned to work, he got to
know that his bail bond had been cancelled on 09.07.2015. He
further submits that the petitioner is inclined to follow all the

conditions, including that he will appear everyday before the Court and in case he not appears even a single day then his bail bond may be cancelled.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, with this condition that petitioner shall appear on each and everyday in this case till ends of trial, he is directed to be released let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Seesions Judge-VI cum Special Judge (POCSO), Saharsa in connection with Saharsa P.S. Case No. 30 of 2014 (CIS No. 03 of 2015), subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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