

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.48626 of 2022**

Arising Out of PS. Case No.-347 Year-2022 Thana- FATUA District- Patna

Chandan Kumar S/O Mahesh Sah Resident of Mohalla- Mahatma Gandhi
Nagar, Bank Mens Colony, P.S.- Kankarbagh, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kameshwar Singh, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 09-12-2022 Learned counsel for the petitioner will remove all the
defects as pointed out by office within two weeks from today.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Fatuha P.S. Case No. 347 of 2022 registered for
the offences punishable under Section 8/10 of the POCSO Act.
He is in custody since 12.05.2022. The petitioner has got no
criminal antecedent.

Learned counsel for the petitioner submits that as per
the prosecution story, on 11.05.2022 at about 10:15 A.M., the
informant received message through her daughter that while she
was going to school by tempo, the driver of the tempo and a boy
who was traveling with him started teasing and beating her.



Thereafter, the informant informed this to police officer and reached there and both the accused persons were standing on ROB bridge. In the meantime, police also came there and arrested both of them. On interrogation, they disclosed their name as Chandan Kumar (petitioner) and Sanjay Kumar.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is in custody in connection with this case since 12.05.2022.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the allegation against the petitioner is that of indulging in eve-teasing with the victim girl and assaulting her by hand and fist, the petitioner has otherwise no criminal antecedent, he has remained in custody since 12.05.2022, investigation against him is complete and chargesheet has already been filed, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional



District and Sessions Judge-VII -cum- Exclusive Special Court
(POCSO Act) in connection with Fatuha P.S. Case No. 347 of
2022, subject to the condition as laid down under Section 437
(3) Cr.P.C.

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 steps 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.

This application is allowed.

Certified copy of this order shall be made available
only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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