

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58571 of 2021

Arising Out of PS. Case No.-47 Year-2021 Thana- LODIPUR District- Bhagalpur

Sonu Kumar @ Sonu Kumar Paswan S/o Faresh Paswan R/o village-
Basantpur, P.S.- Lodipur, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 354(B), 504, 506/34 of the Indian Penal Code and Section 10/15 of POCSO Act.

According to prosecution case, as per written report of the informant, who is aged about 17 years filed one complaint to SHO on 09.03.2021, when she went for natural call, then the accused persons as mentioned in the complaint who belongs to her village took her and making picture and video by mobile when she seen and objected then all accused persons used filthy



language and abused, as well as assault by fits and farts. In the meantime Sonu Kumar caught hold my hand with ill motive. Upon making alarm her parents and villagers came there then all fled away.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the present case is counter blast of SC/ST P.S. Case No. 06 of 2021 filed by the petitioner against the family member of the informant. He further submits that the medical report of the victim suggest that the age of the victim is 16-18 years and during course of investigation it has come that the victim has refused for her medical examination. The petitioner is in custody since 01.08.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 Lodipur P.S. Case No. 47 of 2021, subject to the 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)

mdrashid/-

U		T	
---	--	---	--

