

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49148 of 2022**

Arising Out of PS. Case No.-383 Year-2016 Thana- PATLIPUTRA District- Patna

ANAND RAJ Son of Jay Narayan Saw Resident of Village - Shiva Jee Nagar,
P.s.- Fatehpur, Siwan, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 20-10-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

Considering the submission of learned counsel for the
petitioner, learned counsel for the petitioner is permitted to
make necessary correction in police station case number of
satisfaction portion of the present bail petition.

The petitioner seeks bail in connection with Patliputra
P.S. Case No. 383 of 2016 registered for the offence under
Sections 363, 366(A) and 365 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 14.07.2022.

The petitioner was on bail, where, on misuse of bail,



his bail bond was cancelled and subsequent upon taken into custody, where, he is in jail since 14.07.2022.

Learned counsel appearing on behalf of the petitioner submitted that present case is the first misuse of bail, where, absence of this petitioner before learned trial court is neither intentional nor deliberate. It is further submitted that on relevant point of time, this petitioner was suffering from Hepatitis A, and as such, could not appear before the learned trial court and now undertake to be remain available before the learned trial court, as and when directed.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that the present case is of first misuse of bail.

Considering the facts and circumstances as mentioned above, as this is first misuse of petitioner, which is duly explained, as this petitioner was suffering from Hepatitis A, let the petitioner, above named, is directed to be released on bail in connection with Patliputra P.S. Case No. 383 of 2016 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned With Additional Sessions Judge-cum-Special Court, POCSO Act, Patna/concerned court, subject to the condition following condition:



“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the learned Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(Chandra Shekhar Jha, J)

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