

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60202 of 2021

Arising Out of PS. Case No.-171 Year-2020 Thana- KAKO District- Jehanabad

Satrodh Paswan @ Satrudhan Paswan, Son of Late Hiranman Paswan Resident
of Village- Kako Paswan Tola, P.S.- Kako, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Adv.

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 28-09-2022 Let the defect(s), 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
POCSO Case No.20 of 2021 arising out of Kako P.S. Case No.
171 of 2020, lodged under Sections 147, 149, 341, 323, 324,
325, 326, 354, 307, 504 & 506 of the Indian Penal Code read
with Section 8 of Prevention of Children from Sexual Offence
Act (POCSO).

As per prosecution case, the informant has alleged
that he is the permanent resident of District Jehanabad, it has
been alleged that in the evening of 18.08.2020 the mother of
informant was returning from market and in the mean time in
total 17 named persons have assaulted her. The specific

allegation against the petitioner is to assault by *Kudal*.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 03.08.2021 and charge sheet has already been filed in this case. He further submits that there are 2 criminal cases pending against the petitioner, in which he is on bail in both the cases. Learned counsel for the petitioner further submits that injury report of informant is annexed in the bail application and from the said report, it transpires that all the injuries are simple in nature. He also submits that there are 17 named persons were made accused in this case and all of them were granted bail by the Co-ordinate Bench of this Court vide order dated 01.08.2022 passed in Cr. Misc. Nos.21957 of 2022, 23030 of 2022 & 23046 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, 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 Additional Sessions Judge-VI-Cum-Special Judge, POCSO, Jehanabad in connection with POCSO

Case No.20 of 2021 arising out of Kako P.S. Case No. 171 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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