

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65326 of 2021

Arising Out of PS. Case No.-542 Year-2021 Thana- SAHAYAK NAGAR District- Katihar

KRITYANAND PASWAN S/o Laddu Paswan Resident of Village- Hari Simri
Bakhtiyarpur, P.S.- Simri Bakhtiyarpur, District- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s	:	Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 19-07-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner who is in judicial custody since
23.09.2021 (as stated in paragraph-10 of the bail application)
has been made accused in connection with Katihar
(Town/Sahayak) P.S. Case No. 542 of 2021 (G.R. No.
3774/2021) for the offences under Sections 341, 342, 354(B) of
the Indian Penal Code and Section 8/10 of the POCSO Act.

The allegation in the FIR is that he tried to outrage the
modesty of the informant's daughter. As she raised alarm, the
villagers rescued her and the petitioner was handed over to the



police.

Learned Sr. Counsel appearing on behalf of the petitioner submits that for the alleged absurd act of his, he has already suffered by being in jail since 23.09.2021, charge sheet has already been submitted and as such, he deserves bail.

In view of the fact that the petitioner is in custody since 23.09.2021 and charge sheet stands submitted, this Court is inclined to grant him the privilege of bail but with certain conditions in view of the fact that he do have criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-VI cum Special Judge, POCSO, Katihar in connection with Katihar (Town/Sahayak) P.S. Case No. 542 of 2021 (G.R. No. 3774 of 2021), subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/-

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

