

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65402 of 2021

Arising Out of PS. Case No.-263 Year-2021 Thana- PARSABAZAR District- Patna

RAHUL KUMAR Son of Ramji Rai @ Ramji Prasad Resident of Village-
Mokimpur, P.S.- Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 341, 323, 354, 509, 379/34 of the
Indian Penal Code.

The daughter of the informant is said to have tried
to molest her and on protest being made by the informant he
is subjected to assault by belt lathi and danda and his golden
chain has also been snatched.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that as a matter of fact, while the petitioner



was riding on motorcycle, the informant has inadvertently been dashed with the motorcycle and on account of that scuffle took place between them and the petitioner was also beaten by the informant but the police has not registered any case against the informant, therefore, the mother of the petitioner has also lodged a complaint case against the informant. He further submits that on account of aforesaid complaint filed by the mother of the petitioner, he has been dragged in this case. No occurrence as alleged in the F.I.R. has ever taken place. The petitioner is rotting in judicial custody since 15.09.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Court below where the case is pending in connection with Parsa Bazar P.S. Case No. 263 of 2021 (Special POCSO Case No. 108 of 2021) with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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)

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