

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66900 of 2021

Arising Out of PS. Case No.-336 Year-2021 Thana- DAUDNAGAR District- Aurangabad

CHINTU RAM @ CHINTU KUMAR @ DHARAMVIR KUMAR S/o Dilip
Ram Resident of Village - Beladhi, P.S. - Daudnagar, District - Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 354,341,323,504,34 of the IPC and Section 8 of POCSO Act.

The prosecution case, in short, is that four years old daughter of informant was getting back from the garden of Mango after collecting mango fallen down in storm. She reached home crying and told her mother that Chintu Ram (Petitioner) stopped her on the way and talked to her dirty and filthy words. When the wife of informant went to complain



Chintu Ram, he dragged her down and disrobed her. The informant visited the place of occurrence hearing hull of his wife. When he opposed Chintu Ram, he has beaten the informant with lathi on his head and other parts of the body.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that the petitioner and the informant are own agnates coming from same family and so the petitioner has falsely implicated in the present case only due to previous land dispute. He further submits that it appears from the FIR that there is no allegation of sexual assault and the petitioner is in custody since 25.06. 2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the aforesaid facts, 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 learned Court below where the case is pending in connection with Daudnagar Police Station Case No. 336 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 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.

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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