

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15370 of 2022

Arising Out of PS. Case No.-284 Year-2020 Thana- KUDHNI District- Muzaffarpur

Sakindra Rai @ Raudee Rai Son of Hari Rai @ Harishchandra Rai Resident
of Village- Raghunathpur Vasant, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh

For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 03-01-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with Kudhni
P. S. Case No. 284 of 2020, registered for the offence/s
punishable under Section/s 341, 342 and 354(B) of the
Indian Penal Code and Sections 4 and 8 of the POCSO Act,
2012.

The prosecution story as emerges from the FIR is
that the daughter of the informant, namely, Madhu Kumari
was teased by the petitioner near PACS godown, when she
was going with her mother.

Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. She further submits that investigation in this case is complete and charge-sheet has been submitted under Sections 341, 342, 323 and 354(B) of the Indian Penal Code. She further submits that the petitioner will co-operate in the trial and the trial will not get hampered in case he is enlarged on bail.

She further submits that the petitioner has been languishing in jail since 01.09.2021.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory or regular bail.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to



the satisfaction of Ld. Court of VIIth Additional Sessions Judge-cum-Special Judge, POCSO, Muzaffarpur, in connection with Kudhni P. S. Case No. 284 of 2020, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of



the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

The application stands allowed accordingly.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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