

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33843 of 2023

Arising Out of PS. Case No.-733 Year-2018 Thana- PHULWARISHARIF District- Patna

RAVI KUMAR Son of Suresh Prasad Singh Resident of village - Tahal Tola,
P.S.- Rupaspur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Kumar, Advocate

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-06-2023 Heard the parties.

The petitioner is in custody in connection with Phulwari P.S. Case No. 733 of 2018 Spl. Case No. 183 of 2018 for the offence under Sections 354(B), 354(D) and 511 of the Indian Penal Code and Section 8 of POCSO Act lodged on 16.09.2018 by the informant, Mukesh Kumar.

The prosecution case, in brief, is that two persons were stalking the daughter of the informant while she was going to coaching and taking milk. On such information, the informant started keeping watch and saw that Ravi Kumar, the petitioner herein, and co-accused Ranjeet Kumar have caught his daughter in a lonely place and tried to snatch her chain. It is further alleged that on hue and cry, co-accused Ranjeet Kumar was caught but the petitioner managed to flee away. Accordingly, the



FIR.

Learned counsel for the petitioner submits that a bare perusal of the F.I.R. which shows that due to enmity his name has been incorporated in the list of accused. He, however concedes that there has been delay in coming to judicial custody as he was away for preparing competitive examination.

Learned APP opposes the prayer stating that there has been delay in coming to judicial custody although the act of the petitioner in approaching the Court belatedly is deprecated.

Considering that he is a young boy and do not have criminal antecedent and one of the co-accused was since granted bail vide order dated 26.10.2018 passed in Cr. Misc. No. 63275 of 2018, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.D.J. VI cum Spl. POCSO Court, Patna in connection with Spl. POCSO Case No. 183 of 2018 and Phulwari P.S. Case No. 733 of 2018 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 reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the 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 application is allowed.

(Rajiv Roy, J)

Jagdish/kiran/-

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