

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32867 of 2023

Arising Out of PS. Case No.-66 Year-2022 Thana- SC/ST District- Lakhisarai

Chhotu Kumar, Son of Baban Mandal Village- Pirgaura Bilauri Ps- Lakhisarai
Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s :	Mr.Binay Krishna, APP
For the informant :	Mr. Mayank Bilochan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 24-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Lakhisarai SC/ST P.S. Case No.66 of 2022 instituted under Section 447,341,323,354(A),504,506/34 of the IPC, Section 8 of the POCSO Act and Section 3(1)(r)(s)/3(2)(Va) of SC/ST Act lodged on 24.12.2022 by the informant Sohan Kumar Paswan.

As per the prosecution story, the petitioner used to make indecent comments against the informant's minor daughter and upon complaint, using caste name, was assaulted. Accordingly, the FIR.

The informant has appeared and submitted that after the submission of the charge sheet on 21.02.2023 (para-13 of the petition), both parties belonging to the same place cleared their misunderstanding and as such, he do not have opposition to the grant of bail.



Learned counsel for the petitioner submits that he has already suffered by being in custody since 25.12.2022 and it is his further submission that charge sheet has been submitted. He will not have any relationship either with the girl and/or with the girl's family.

Taking into account the submissions put forward by the learned counsel for the parties, charge sheets stand submitted, the petitioner is in custody since 25.12.2022, do not have criminal antecedent and undertaking is being given that he will not have any relationship either with the girl and/or with the girl's family, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Lakhisarai SC/ST P.S. Case No.66 of 2022 to the satisfaction of learned Additional Sessions Judge, VI-cum-Special Judge/POCSO Court Lakhisarai, District-Lakhisarai, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his 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 next six months to mark 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 the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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

