

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39626 of 2023

Arising Out of PS. Case No.-144 Year-2023 Thana- RAJPUR District- Buxar

Rohit Kumar Son Of Ram Ashish Lal R/V - Khiri, P.S. - Rajpur, Distt. -
Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 25.04.2023 in connection with Rajpur P.S. Case No. 144 of 2023, F.I.R. dated 25.04.2023 for the offences punishable under Sections 341, 343 and 354B of the Indian Penal Code along with Section 8/12 of the POCSO Act.

3. According to prosecution case, it is alleged that the accused person has tried to do wrong with the informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and due to previous enmity he has falsely been implicated in the present case. He further submits that the allegations as alleged in the F.I.R., are false and fabricated and he has not committed any offence. Even no such



occurrence has taken place. He further submits that the place of occurrence was the main market and no independent witness was there to support the case of the prosecution. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 25.04.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he has committed wrong with the victim and the statement of the victim was recorded under Section 164 of the Cr.P.C., in which she has supported the case of the prosecution.

6. Considering the aforesaid facts and nature of allegation, 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 the learned Additional Sessions Judge – VIth – cum- Special Judge, POCSO Court, Buxar, in connection with Rajpur P.S. Case No. 144 of 2023, subject to the following conditions:-

i. 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. 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)

Aditi

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

