

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43449 of 2022**

Arising Out of PS. Case No.-181 Year-2022 Thana- GORAUL District- Vaishali

VINOD SAH S/O ASHARFI SAH R/o Village- Ababakarpur, P.S.- Goraul
(Kathara O.P), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Prabhat
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 21-03-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Goraul (Kathara O.P.) P.S. Case No. 181 of 2022,
registered for offence punishable under section 354A of the
Indian Penal Code.

At the very outset the learned counsel for the
petitioner has submitted that though there is allegation of rape
against the petitioner, but during the trial the victim did not
identify the petitioner and has stated that she, at the
instigation of her parents and villagers, had disclosed the name
of the petitioner in the statement under section 164 of the



Code of Criminal Procedure. The petitioner is under custody since 24.04.2023.

On the other hand, Mr. Shailendra Kumar, the learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court POCSO cum Additional District Judge-VI, Vaishali at Hajipur in connection with Goraul (Kathara O.P.) P.S. Case No. 181 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.
- (iii) The petitioner shall remain present physically on each and every date fixed at the trial and if he**



fails to do so, the learned court below shall be at liberty to cancel his bail bonds.

(Nawneet Kumar Pandey, J)

Mahesh/-

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

