

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52764 of 2023

Arising Out of PS. Case No.-44 Year-2022 Thana- MAHILA P.S. District- Muzaffarpur

Sonu Kumar Son of Late Chalitra Paswan Resident of village - Chakbhikhi,
P.S. - Maniyari, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mani Bhushan Kumar, Adv.

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 22-09-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Mahila P.S. Case No. 44 of 2022 dated 02.07.2022, lodged
under Sections 341, 342, 354(C), 506, 376, 379, 120(B) of the
I.P.C. read with Section 4/6 of the POCSO Act.

4. Learned counsel for the petitioner submits that the
bail application of the petitioner has earlier been rejected vide
order dated 03.05.2023 passed in Cr. Misc. No. 9498 of 2023 in
which liberty was granted to him to renew his prayer for bail
after framing of charge.

5. Learned counsel for the petitioner further submits

that the charge has already been framed in this case on 12.05.2023.

6. Learned counsel for the State opposes the prayer for bail and submits that it is correct that the charge has already been framed in this case.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-7th-cum-Special Judge, POCSO, Muzaffarpur in connection with Mahila P.S. Case No. 44 of 2022, 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 *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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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