

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52176 of 2023**

Arising Out of PS. Case No.-338 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Raushan Paswan @ Raushan Kumar Son Of Umashankar Paswan Resident
Of Mohalla- Dayal Tola Balupar P.S Lakhisarai District Lakhisarai

..Petitioner

Versus

The State of Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 17-08-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 14.05.2023 in connection with Lakhisarai P.S. Case No.338 of 2023, F.I.R. dated 13.05.2023 registered for the offence punishable under Sections 341,323,504,354(B)/34 of IPC and Sections 8/12 of POCSO Act.

3. The prosecution case, is that the informants' minor daughter aged about 15 years was regularly harassed by the accused petitioner. On 12.05.2023 at about 4.00 PM while his daughter was returning back from her college at that time on a lonely stretch of the road the accused petitioner pulled the 'dupatta' of the minor victim girl and when she protested then he forcibly tried to take her along. On commotion the



family members reached the spot on which the accused petitioner fled away. The informant further alleges that when he and his minor daughter approached the family of the petitioner at this house to protest against such behaviour at that time he and his daughter were physically assaulted by the accused petitioner and the respective family members as a result of which both suffered injuries.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The present case is counter blast of SC/ST P.S.Case No.30 of 2023 filed by the mother of the petitioner, namely, Saho Devi against the informant and his family members and the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and the statement of the victim under Section 164 Cr.P.C. was recorded in which she has not stated anything about the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 14.05.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.



6. Considering the aforesaid fact, 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 learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Lakhisarai in connection with Lakhisarai P.S. Case No.338 of 2023, with 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/her absence on two consecutive dates without sufficient reason, his/her 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)

Nitesh/-

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

