

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53625 of 2023

Arising Out of PS. Case No.-286 Year-2023 Thana- GURUA District- Gaya

SURAJ KUMAR Son of Praveen Thakur @ Pravil Thakur Resident of village
- Itwan, P.S. - Gurua, Distt. - Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-08-2023 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
14.06.2023 in connection with Gurua P.S. Case No. 286 of
2023, F.I.R. dated 13.06.2023 registered for the offence
punishable under Sections 354,354(B),586 of IPC and
Section 8 of the POCSO Act.

3. Allegation against the petitioner is that in the
night when the minor victim was sleeping, the petitioner came
there and slept beside the victim and also put his hand on the
body of the minor victim. On protest by the victim the
petitioner touched the victim with evil intention.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. 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 from a bare perusal of the FIR it appears that the petitioner has not committed anything wrong with the informant and the petitioner is in custody since 14.06.2023.

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 Exclusive Special Judge, POCSO-cum-Additional Sessions Judge-VII, Gaya in connection with Gurua P.S. Case No. 286 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)

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