

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57857 of 2023

Arising Out of PS. Case No.-668 Year-2022 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

=====

ADITYA KUMAR @ MUKTI Son of Late Gauri Shankar Prasad Resident of
village - Balughat, P.s. - Town, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection
with Town P. S. Case No. 668 of 2022 registered under Sections
341, 323, 354, 354(B) and 504 of the Indian Penal Code
lodged on 15.08.2022 by the informant, Shivani Kumari

3. As per the prosecution story, the allegation is that
when the victim girl was going to impart tuition, this petitioner
eyeing her, dragged her in his house but she anyhow came out
of his clutches and fled away., This followed the FIR.

4. Learned counsel for the petitioner submits that for
the said allegation/misadventure, he has already suffered, there
is case and counter case and due to inimical terms between the



parties, the petitioner has been implicated in this case.

5. Learned APP, on the other hand submits that so far as counter case is concerned, that is later part and it seems that due to the said alleged act, he was beaten by him.

6. The alleged act of the petitioner who is 35 years of age is deprecable and cannot be condoned in view of the fact that he has remained in custody for one year since 16.08.2022 (as stated in paragraph-10 of the petition) and the trial is till going on, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VIth cum Spl Judge POCSO Act, Muzaffarpur in connection with Town P.S. Case No. 668 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/her *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/her



bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

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

(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.

(Rajiv Roy, J)

Jagdish/-

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

