

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57406 of 2022**

Arising Out of PS. Case No.-346 Year-2022 Thana- DUMRAO District- Buxar

VISHAL KUMAR Son of Vinod Kumar Singh @ Binod Singh Residence of  
Textile Colony, P.S.- Dumraon, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                             |
|--------------------------|---|-----------------------------|
| For the Petitioner/s     | : | Mrs. Sagnika, Advocate      |
|                          | : | Mr. Aditya Pandey, Advocate |
|                          | : | Mr. Anuj Kumar, Advocate    |
| For the Opposite Party/s | : | Mr. Vinod Shanker Modi, APP |

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

2      09-02-2023                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the  
offence under Sections 341,323,354(B), 504,506 of IPC and  
Sections 8/12 of POCSO Act.

The prosecution case in shot is that the allegation  
against the petitioner is that he tried to commit rape upon the  
victim.

Learned counsel appearing for the petitioner submits  
that the petitioner has clean antecedent. He has falsely been  
implicated in the present case. Further submits that the  
allegation against the petitioner is that he has tried to commit  
rape upon the victim. Further submits that the statement of the



victim under Section 164 Cr. P.C. was recorded in which she has categorically stated that the petitioner has not done anything with her and due to some fight between them she has filed the present case and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 08.08.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, 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 court below where the case is pending in connection with Dumraon P.S. Case No. 346 of 2022 with the following conditions:-

(1) 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.

(2) 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.



(3) 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/-

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