

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57674 of 2022

Arising Out of PS. Case No.-471 Year-2022 Thana- AGAMKUAN District- Patna

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BANTI KUMAR Son of Ajay Prasad Resident of Lalsa Bigha, P.S.- Hilsa,
District- Nalanda, A/P L.I.G Sector 3, Block No.4 Bahadurpur Housing
Colony, P.S.- Agamkuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Mohan

For the Opposite Party/s : Mr.Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in
connection with Pre Trial No. 41 of 2022,
Agamkuan P.S. Case No. 471 of 2022, registered
for the offence punishable under Sections 341,
354, 354(B), 354(D), 504, 506, 509 of the Indian
Penal Code and Section 8 of the POCSO Act.

The petitioner is alleged to have been
harassing the victim girl when she used to go to
her coaching and on 5.7.2022 at about 6:10 pm.



in the evening, when the victim girl was returning from her coaching and had reached near Chandrashekhar Park, the petitioner had used filthy language and harassed the victim girl, whereupon he was caught by the family members of the victim girl and handed over to the police.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 6.7.2022. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in one other case, but he is on bail in the said case. The learned counsel for the petitioner has further submitted that on account of previous enmity, the petitioner has been falsely implicated in the present case, however, he is ready and willing to abide by such conditions, as may be deemed fit and proper to be imposed for the purposes of grant of bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.



Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, though I deem it fit and proper to admit the petitioner to the privilege of bail, considering the nature of allegation levelled against him, however, subject to certain conditions.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-VII-cum-Special Judge, POCSO Act, Patna in connection with Pre Trial No. 41 of 2022, Agamkuan P.S. Case No. 471 of 2022.

It is further directed that the petitioner shall mark his presence before the officer-in-charge of the concerned police station at 10:30 am. on every Monday, starting from the day he is released on bail, and in case of failure to do so on two consecutive occasions, the present privilege of bail



shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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