

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65487 of 2022**

Arising Out of PS. Case No.-227 Year-2022 Thana- HALSI District- Lakhisarai

Vibhishan Paswan Son of Bharat Paswan R/O Vill.- Billi, P.S.- Halsi, Distt.-
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 13-03-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Halsi P.S.
Case No. 227 of 2022 registered for the offence under Section
354(a) of the Indian Penal Code (for short 'I.P.C.') and under
Section 08 of the POCSO Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 02.09.2022.

The allegation against the petitioner is to outrage the
modesty of informant/victim, who is aged about 16 years, while
returning after attending her coaching class.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner is the next door neighbour of the victim/informant and as some property dispute are pending between them, which could not materialize by intervention of local bodies, the present false implication was raised. It is submitted that allegation is of attempt for outraging only. It is further submitted that the maximum allegation, as per the F.I.R., is only to pull the victim/informant towards forest area, where nothing appears on the face of F.I.R., which may suggest that the same pulling was with sexual intent. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP for the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of the allegation, where petitioner is in custody since 02.09.2022 coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Halsi P.S. Case No. 227 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and



Sessions Judge-VI-cum-Special Judge, POCSO Court,
Lakhisarai/concerned Court, subject to the conditions as
mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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