

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66903 of 2023

Arising Out of PS. Case No.-601 Year-2023 Thana- BIHAR District- Nalanda

Rahul Kumar, Late Amrendra Paswan, Resident Of Mohalla- Ganga Nagar,
Police Station- Bihar, District-Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md.Imteyaz Ahmad, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Bihar P.S. Case No. 601/2023, lodged on 06.07.2023 under Sections 341, 354A, 506 of the Indian Penal Code and Sections 8/12 of the Protection of Children from Sexual Offences Act, 2012.

3. As per the prosecution case, the FIR has been lodged against the present petitioner with an allegation of eve-teasing the sister of the informant whenever she went to coaching.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has committed no offence. He further submits that the chargesheet has already been filed in this case, but the said charges are extremely defective because the alleged girl with whom the offence was committed has not been made a witness in this case. A copy of the chargesheet has been attached. He further submits that the petitioner is a student and is preparing for a competitive examination. The petitioner is in custody 07.07.2023 having clean antecedent.

5. Learned counsel for the State opposes the prayer for bail and submits that chargesheet has been filed in this case in which offenses under the POCSO Act have also been included.

6. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with POCSO Case No.109/2023 arising out of Bihar P.S. Case No. 601/2023, pending before the learned Additional District and Sessions Judge-VI cum Special Judge, POCSO Act, Nalanda, is hereby rejected.

9. However, the trial Court is directed to release the petitioner on bail by imposing its own condition so that the petitioner may not evade appearance during the trial if he



renews his prayer for bail after framing of charge.

10. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J)

Ashwini/-

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

