

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67787 of 2022

Arising Out of PS. Case No.-183 Year-2022 Thana- HATHAURI District- Muzaffarpur

INDAL RAY Son of Late Ram Chandra Ray R/v- Berai Dakshini, P.S.-
Hathauri, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrwal, Sr. Adv.
Mr.Raju Kumar, Adv.
Miss. Diksha Kumari, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

5 11-05-2023 Heard learned counsel for the petitioner as well as Shri
Shailendra Kumar, the learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Hathauri P.S. Case No. 183 of 2022, registered for the offences punishable under Sections 341, 323, 354(B), 308, 506/34 of the Indian Penal Code and Section 3 and 4 of POCSO Act, 2012.

As per allegation, when the informant who is mother of the victim was returning to her house along with her minor daughter, the petitioner and co-accused Binay Ray @ Vinay Ray @ Vidhayak Ray stopped them and started teasing her daughter. They also assaulted her.

The learned counsel for the petitioner has submitted that he is under custody for a period of nine months.

On the other hand, the learned APP has opposed the prayer for bail and has submitted that in the statement recorded under section 164 of the Cr.P.C., the victim has supported the



occurrence.

Considering the above-mentioned facts and circumstances especially the period of custody, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Muzaffarpur in connection with Hathauri P.S. Case No. 183 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available on each and every date of trial till framing of charge. In case of failure on two consecutive dates without any valid reason, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Sudha/Sonali

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