

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71515 of 2022**

Arising Out of PS. Case No.-5 Year-2022 Thana- MAHILA P.S. District- Lakhisarai

Karmbir Bind @ Karmbir Kumar Son Of Krishna Bind R/O Village-
Bachhiya Bigha, P.S.- Halsi, District- Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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

3 04-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
16.08.2022 in connection with Lakhisarai Mahila P.S. Case No.
05 of 2022, F.I.R. dated 07.02.2022 for the offences punishable
under Sections 341, 323, 354, 354(A), 325 and 504 of the Indian
Penal Code and Section 8 of POCSO Act.

According to prosecution case, the petitioner molested
the daughter of the informant and he also bites the cheek of her
due to which she got injured and blood was oozing out of her
face.



Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that as per the allegation alleged against the petitioner in the F.I.R., the petitioner has assaulted and bites the cheek of the victim by his teeth which shows that there was no intention to molest the victim and due to some dispute the present occurrence has took place. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 16.08.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 the learned Additional District Judge VI cum Special Judge POCSO Court, Lakhisarai in connection with Lakhisarai Mahila P.S. Case No. 05 of 2022 2020, subject to 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 absence on two consecutive dates without sufficient reason, his 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)

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