

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70589 of 2023

Arising Out of PS. Case No.-436 Year-2023 Thana- ISLAMPUR District- Nalanda

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Anshu @ Anshu Yadav @ Anshu Kumar Yadav Son Of Yogendra Yadav @
Yugendra Yadav Residents Of Mohalla -Budha Nagar, Police Station-
Islampur District -Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner submits that due to inadvertence in para-16 period of custody has wrongly been typed as 04.08.2023 in place of 24.08.2023. As such, he seeks permission to correct the same during course of the day.

3. Permission is accorded.

4. The petitioner seeks regular bail in connection with POCSO Case No.129 of 2023, arising out of Islampur P.S. Case No. 436 of 2023, lodged on 04.08.2023, under Sections 447/354(B)(D)/504/506/34 of the Indian Penal Code, under Section 8/12 of the POCSO Act and under Sections 3(i)(r)(s)(w)/3(2)(va) of the SC/ST Act as well as under Section 66/67 of



the I.T. Act.

5. As per the prosecution, FIR has been lodged against the petitioner against whom the allegation is that he used to blackmail by making Video of the informant viral. The informant belongs to SC/ST category.

6. Learned counsel for the petitioner submits that antecedent of the petitioner is clean and he is in custody since 24.08.2023.

7. Learned counsel for the State opposes the prayer for bail and submits that the allegations made by the informant is direct.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge, POCSO, Biharsharif, Nalanda, in connection with POCSO Case No.129 of 2023, arising out of Islamapur P.S. Case No.436 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:



(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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