

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68445 of 2022**

Arising Out of PS. Case No.-805 Year-2022 Thana- PURNEA SADAR District- Purnia

SATYA PRIYA Son of Satya Narayan Sah R/o Mohalla- Modi Tola, P.S.-  
Kasba, Dist- Purnia (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                     |
|--------------------------|---|---------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Yogesh Chandra Verma, Sr. Adv.<br>Mr. Nishant Kumar Sinha, Adv. |
| For the Opposite Party/s | : | Mr. Ram Priya Sharan Singh, APP                                     |

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

3      18-04-2023                      Heard Mr. Yogesh Chandra Verma, learned Senior  
counsel for the petitioner and learned Additional Public  
Prosecutor for the State.

Petitioner seeks bail, who is in custody since  
19.10.2022, in connection with Sadar P.S. Case No.805/2022,  
F.I.R. dated 19.10.2022, for the offences punishable under  
Sections 346, 366A, 370A, 372, 373, 120B, 34 of the Indian  
Penal Code, Section 4, 6 of POCSO Act and Sections 3, 4, 5 and  
6 of I.T.P. Act.

According to prosecution case, on secret information,  
when a raid was conducted in the house of one Ajjo Khatoon,  
two persons succeeded to flee away while one person and one  
girl was found in the house.



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 against the petitioner, as alleged in the F.I.R., is false and fabricated and in fact no such occurrence has ever taken place. He further submits that it has come during investigation, in the case diary, that the victim was major at the time of occurrence and she has refused for her medical examination and the statement of the victim was recorded under Section 164 of the Cr.P.C., in which she has not stated anything about the occurrence and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 19.10.2022.

The learned Additional Public Prosecutor for the State on the other hand 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 Sessions Judge-VI-cum-Special Judge (POCSO), Purnea, in connection with Sadar P.S. Case No. 805/2022, 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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