

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 69361 of 2022

Arising Out of PS. Case No.-292 Year-2022 Thana- SHEKHPURA District- Sheikhpura

RAMESH RAUT SON OF RAJO RAUT R/O Village- Ambari, P.S.-
Shekhopur Sarai, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagannath Prasad, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Section 366(A) of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

According to prosecution case, as alleged in the F.I.R. by the informant, the petitioner persuaded the two minor girls of the informant and was on the way towards the village Amanatpur, but on the way, villagers caught him. Thereafter, the police reached there and the said petitioner was apprehended.

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 no such



occurrence took place as alleged in the F.I.R. and the so called victim has already been recovered and the petitioner has not kidnapped the victim as alleged in the F.I.R. and it appears from the F.I.R. itself that the petitioner has not had any sexual assault with the victim. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 31.05.2022.

The learned Additional Public Prosecutor of the State 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 Court below where the case is pending in connection with Shekhpura P.S. Case No. 292 of 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)

Alok Verma/-

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