

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69387 of 2022

Arising Out of PS. Case No.-738 Year-2018 Thana- LAKHISARAI District- Lakhisarai

NIRANJAN SINGH Son of Naresh Singh Resident of village - Saidpura,
P.S.- Surajgarha, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 29-03-2023 Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of regular bail in a case registered under section 366A of the Indian Penal Code and section 4 of the POCSO Act.

As per the prosecution case, the petitioner is stated to have committed rape on the minor victim.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 25.8.2021 (Annexure-1) passed in Cr. Misc. no. 25503 of 2021. It is further submitted that the petitioner has been falsely implicated in the case. It was a case of love affair in which the parties entered into the marriage. However, subsequently this false case was registered by the alleged victim under pressure of her family members. The petitioner has



remained in custody for more than four years since 17.11.2018 and the trial has still not concluded. He undertakes to cooperate in the trial.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner having remained in custody for more than 4 years since 17.11.2018 and the trial still not having concluded, the petitioner is directed to be enlarged on bail in connection with POCSO Case no. 63 of 2018 (arising out of Lakhsarai P.S. Case no. 738 of 2018) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge VI – cum – Special Judge, Lakhsarai on the following conditions:-

(i) The petitioner shall remain physically present in court on each date of the trial and shall cooperate in the trial.

(ii) One of the bailors of the petitioner shall be his close relative.

(iii) In case the petitioner remains absent on any date for reasons not to the satisfaction of the learned trial court or in case the petitioner does not cooperate in the trial, the learned trial court may cancel the bail bond of the petitioner and take



him into custody till conclusion of the trial.

(Partha Sarthy, J)

Spd/-

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