

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70546 of 2022

Arising Out of PS. Case No.-865 Year-2022 Thana- JAHANABAD District- Jehanabad

RAHUL RAJ, aged about 22 years, Son of Rajiv Ranjan @ Rajiv Ranjan Kumar, Resident of Village- Badi Sangat, P.S.- Jehanabad in the district of Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tapeswar Sharma, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with POCSO Case No.93 of 2022 arising out of Jehanabad P.S. Case No. 865 of 2022 dated 12.09.2022 registered for the offence(s) punishable under Section(s) 370(a)/34 of the Indian Penal Code, Sections 3/4/5/6 of Immoral Traffic Prevention Act and Section 8 of POCSO Act.

As per the prosecution, the police personnel on secret information conducted a raid at the alleged rest houses and found this petitioner and other males and females in objectionable position and thereafter upon making search, some mobile phones, packets of condom, cigarettes and other



incriminating articles were recovered.

The main submissions advanced by the learned counsel for the petitioner are that the petitioner has no concern with the rest houses which were raided by the police, where several girls and accused persons were found in objectionable position and as per allegation, the petitioner is stated to have been found in room No.6 with two girls, in fact the petitioner along with his cousin firstly went to Gaya and thereafter they went to alleged restaurant for taking breakfast and in the meantime the police arrived and raided the said guest houses and arrested this petitioner due to misunderstanding, several co-accused persons have been granted bail by different co-ordinate Benches of this Court vide orders passed in Cr. Misc. Nos. 68988 of 2022, 69990 of 2022 and 67519 of 2022 and petitioner has been languishing in jail since 13.09.2022. Further submission is that against the petitioner, there is criminal antecedent of one case in which he is on bail. Further submission is that the petitioner is a student of B.A. Part II course and his examination is scheduled to be started from tomorrow.

Learned APP appearing for the State has opposed the bail prayer.



Considering the above submissions, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner 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 Court concerned in connection with POCSO Case No.93 of 2022 arising out of Jehanabad P.S. Case No. 865 of 2022.

(Shailendra Singh, J)

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