

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72087 of 2022

Arising Out of PS. Case No.-277 Year-2022 Thana- JANDAHA District- Vaishali

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DHIRAJ KUMAR SON OF LATE SANTLAL PASWAN, R/O VILL.-
BARBATT, P.S.- JANDAHA, DISTT.- VAISHALI. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

3 20-04-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Jandaha P.S. Case No. 277 of 2022, registered for offence
punishable under Section 376 (D) of the Indian Penal Code and
Sections 4/18 of the POCSO Act.

The learned counsel for the petitioner has submitted
that the petitioner is not named in the FIR. As per allegation,
co-accused Raushan Paswan, Chhotu Paswan and Aman Paswan
committed rape upon the prosecutrix and in confessional
statement of co-accused persons, it has come that the petitioner
was making video clip and made it viral, but no video clip has
been recovered. The petitioner is under custody since
11.09.2022.

On the other hand, the learned APP has opposed the



prayer for bail.

Considering the above-mentioned facts and circumstances as well as the period of custody and clean antecedent of the petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Court POCSO, Vaishali at Hajipur in connection with Jandaha P.S. Case No.277 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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