

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.231 of 2023

Arising Out of PS. Case No.-404 Year-2022 Thana- PATRAKARNAGAR District- Patna

BIKRAM SINGH @ VIKASH SINGH @ VIKASH KUMAR S/O Mithlesh
Singh @ Mithlesh Prasad Singh R/O Village- Kamal Bigha, Bindidih, P.S-
Rajgir, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 03-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Special POCSO Case No. 89 of 2022 arising out of Patrakar
Nagar P.S. Case No. 404 of 2022 dated 10.07.2022 registered
for the offence under Sections 376 of the Indian Penal Code
and Section 6 of the POCSO Act.

The petitioner alleged to have continuously
committed immoral acts like disrobing and touching the
private parts of daughter of the informant and also
committed rape upon her on various occasions.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is



innocent and has falsely been implicated in this case. He further submits that the allegation, as alleged in the F.I.R., is false and fabricated and the petitioner has not committed any offence. He further submits that the victim and her mother were examined during trial and both have turned hostile as they have not supported the prosecution version as narrated in the F.I.R. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 18.08.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, 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 learned Additional Sessions Judge- VI -cum- Special, POCSO Court, Patna in connection with Special POCSO Case No. 89 of 2022 arising out of Patrakar Nagar P.S. Case No. 404 of 2022 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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