

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75263 of 2022

Arising Out of PS. Case No.-151 Year-2022 Thana- DHARHARA District- Munger

CHHOTU KUMAR @ DHARAMVEER KUMAR S/o Chandrika Yadav @
Chandrika Prasad Yadav R/o Village- Chharrapatti, P.S.- Dharhara (Hemjapur
O.P.), Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
12.10.2022 in connection with Dharhara (Hemjapur O.P.) P.S.
Case No.151 of 2022, F.I.R. dated 17.08.2022 registered for the
offence punishable under Section 354(B) of IPC and Section 8
of POCSO Act.

The case of prosecution in short as per the written
application of informant is that on 17.08.2022 at about 5.00
P.M. the informant's daughter aged about 14 years, was going to
field for natural call, meanwhile, petitioner tried to take her in
the field by pulling her cloth. Somehow she managed to save
her modesty.



Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated. No such occurrence had taken place and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 12.10.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid fact, 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 learned Additional Sessions Judge-VI-cum-Exclusive Special Judge (POCSO Act), Munger in connection with Dharhara (Hemjapur O.P.) P.S. Case No.151 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 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)

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