

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 20380 of 2024

Arising Out of PS. Case No.-124 Year-2024 Thana- NAWADA District- Nawada

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PRINCE RAJ S/O- KARU LAL SHARMA R/O- VILLAGE- GONAWAN,
P.S.- NAWADA TOWN, DIST.- NAWADA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Birendra Kumar, Adv.
For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-04-2024 Heard the learned counsel for the petitioner and

learned counsel for the State.

2.The petitioner is apprehending his arrest in connection with Town (Nawada) P.S. Case No. 124 of 2024 for the offence under sections 341 and 354(A) of the I.P.C. and Section 08 and 12 of the POCSO Act lodged on 21.01.2024 by the informant, Shruti Verma.

3. As per the prosecution story, the girl has alleged that when she was alone, this petitioner came and outraged her modesty and as she dialed 112, he escaped. Thereafter, with the help of the family members, the FIR was lodged.

4. Learned counsel for the petitioner submits that she is on rent in the building of the informant’s family and due to some petty dispute, he has been implicated. Further, there is also

a counter version lodged by his wife that the brother of the informant entered the house and tried to outrage his wife's modesty. The last submission is that he is having a family, putting him in jail will create problem with them.

5. Learned APP opposes the prayer stating that the girl has narrated her ordeal and the petitioner do not deserve relief.

6. Taking into account the fact that there is case and counter case and the petitioner do not have criminal antecedent, FIR lodged and he will have to face the trial, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-VI-cum-Special Judge, POCSO Act, Nawada in connection with Town (Nawada) P.S. Case No. 124 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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