

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20774 of 2024

Arising Out of PS. Case No.-343 Year-2023 Thana- GAIGHAT District- Muzaffarpur

Tunna Rai S/o Late Ram Karan Rai Resident of Village-Chorniya, Chirailia,
P.S.-Gaighat, District-Muzaffarpur, Pin-843118, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Nath Rai, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Gaighat P.S. Case No.343 of 2023, lodged on 31.08.2023,
under Sections 341/342/306/201/354B/509/120B/506/34 of the
Indian Penal Code and under Section 8 of the POCSO Act.

3. As per the prosecution, the FIR has been lodged
against 12 named accused persons including the present
petitioner with allegation that all accused persons have created
such a situation which resulted into suicide of the informant's
daughter.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that there is nothing specific made in the FIR against



the petitioner. The petitioner is in custody since 10.01.2024 having no criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail and submits that case-diary is required in the present case.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge (POCSO)-I, Muzaffarpur, in connection with Gaighat P.S. Case No.343 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) One of the bailor should be the family member of the petitioner who shall provide official document to show his 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 bonds by the Trial Court itself;



(iii) The petitioner shall appear before the concerned police station every month for one year to mark attendance;

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

(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 the bail bonds.

(Dr. Anshuman, J)

Mkr./-

U		T	
---	--	---	--

