

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28595 of 2024

Arising Out of PS. Case No.-221 Year-2020 Thana- BAHADURPUR District- Darbhanga

SHASHI RANJAN SINGH S/O SAMBHU PRASAD SINGH R/O
VILLAGE- SINUARA, P.S- BAHADURPUR, DISTT.- DARBHANGA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 23-08-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Bahadurpur P.S. Case No. 221 of 2020 for the offence punishable under Sections 341, 323, 324, 354(B), 354©, 354(D) and 34 of the Indian Penal Code and section 8/12 of POCSO Act lodged on 24.05.2020 by the informant, Jageshwar Kahar.

3. As per the prosecution story, the informant alleged that his niece was staying with him for last couple of months and had gone outside the field when the accused persons who were having liquor tried to outrage her modesty and Rahul Singh started clicking pictures. When this was objected by one of the villagers (Rakesh Kahar), allegation is that he was assaulted and only after the villagers intervened, left both the



injured and the victim girl. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that a perusal of the FIR would show that due to village rivalry, he is implicated and also has criminal antecedent which prompted the Police to implicate him. He submits that a perusal of the FIR would show that at best allegation against him is of order giver after which Jitendra Ram tried to outrage the modesty of the victim girl. Last submission is that he has suffered by being in custody since 14.12.2022 (para-11 of the petition).

5. Learned APP opposes the prayer submitting that he has also tried to outrage the modesty of the victim girl.

6. Taking into account the aforesaid facts as also that he has remained in custody since 14.12.2022 and as per the Trial Court's report, the matter is pending for prosecution evidence, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge (POCSO Act), Darbhanga, in connection with Bahadurpur P.S. Case No. 221 of 2020 subject to the 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year 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)

Ravi/-

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

