

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25761 of 2024

Arising Out of PS. Case No.-663 Year-2022 Thana- RAJAOLI District- Nawada

Vikram Kumar Son Of Arjun Paswan Resident Of Village - Babhni (BBHNI),
Police Station - Rajauli, District - Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi Wife Of Sanjay Prasad Resident Of Village - Bhagwanpur,
Police Station - Rajauli, District - Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-07-2024 Heard Mr. Aryan Singh, learned counsel for the

petitioner and Mr. Vinod Shanker Modi, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
06.12.2022, in connection with POCSO Case No. 51 of 2023
arising out of Rajauli P.S. Case No. 663 of 2022, F.I.R. dated
03.12.2022 registered for the offences punishable under
Sections 363, 366(A) of the Indian Penal Code and Sections 4
and 6 of the POCSO Act.

3. Earlier the bail petition of the petitioner was
rejected vide order dated 19.07.2023 passed in Cr. Misc. No.
23799 of 2023.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. In fact, the petitioner was in love with the victim and they have performed the marriage in temple. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 06.12.2022.

5. Vide order dated 19.04.2024 a report was called for with regard to the stage of the trial. Report dated 03.05.2024 of the learned Trial Court reveals that the charge has been framed against the petitioner on 02.03.2023 but till date prosecution had not examined any witness.

6. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court, there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 06.12.2022.

7. Considering the aforesaid facts and circumstances of the case as well as the report of the learned Trial Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. VI-cum-Special Judge, POCSO, Nawada in connection



with POCSO Case No. 51 of 2023 arising out of Rajauli P.S.
Case No. 663 of 2022, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, 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 antecedents, 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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