

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27137 of 2024

Arising Out of PS. Case No.-81 Year-2024 Thana- GAURICHAK District- Patna

Govind Kumar @ Govand Kumar, aged about 24 years, Male, Son of Pappu Kumar, Resident of Village - Awadhpur, Police Station - Gaurichak, District – Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Special (POCSO) Case No. 55 of 2024 arising out of Gaurichak P.S. Case No. 81 of 2024 instituted for the offences punishable under Sections 354, 354(A) 354(D) and 452 of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, unknown accused person including the petitioner started outraging the modesty of the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case only on the basis of



suspicion. He further submits that petitioner is a student. Both petitioner and the daughter of the informant is neighbour. There is no any eye witness of the alleged occurrence. Petitioner has got no criminal antecedent as stated in para 3 of the petition and is in custody since 22.02.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-VII-cum- Special Judge, POCSO, Patna dated 12.03.2024, it appears that there is no allegation of sexual assault against the petitioner and both the parties have entered into a compromise before the trial Court and photocopy of the compromise petition has also been annexed as Annexure-2 to the present petition, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VII-cum Special Judge (POCSO), Patna in connection with Special (POCSO) Case No. 55 of 2024 arising out of Gaurichak P.S. Case No. 81 of 2024.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a



period of 15 (fifteen days) from the date of receipt of a copy of this order. However, it is made clear that ***if the charge-sheet has not been submitted*** then the petitioner shall be released on bail on above conditions and he shall be present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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