

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45268 of 2024

Arising Out of PS. Case No.-131 Year-2024 Thana- RAMNAGAR District- West Champaran

Raju Kumar Mahato S/o Late Sunil Mahato R/O Village Ram Nagar, Ward
No. 5, P.S. Ram Nagar, Dist. West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lav Kumar S/O Rajesh Mahato R/O Village Ram Nagar, Ward no. 05, P.S.
Ram nagar, Distt-West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-09-2024 Heard Mr. Vijay Kr. Singh No. 1, learned counsel for the
petitioner and Mr. Bharat Bhushan, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
29.03.2024, in connection with Ram Nagar P.S. Case No. 131 of
2024, F.I.R. dated 28.03.2024 registered for the offences
punishable under Sections 341, 323, 354(Kh), 504, 506 & 34 of
the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

3. Allegation against the petitioner is that he caught
hold the sister of the informant with bad intention and also
assaulted the family members of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the allegation as alleged in



the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that for the same set of F.I.R. one another F.I.R. was instituted by the wife of the petitioner and the petitioner has received serious injuries in this case. Learned counsel for the petitioner further submits that in fact the petitioner was in love with the victim girl and due to this reason the occurrence had taken place and family member of the victim assaulted the petitioner and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 29.03.2022.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R. and apart from that the petitioner has participated in the crime in question and also petitioner carries two more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case, 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 Additional District & Sessions Judge-7th-cum-Special Judge (POCSO), West Champaran, Bettiah in connection with Ram



Nagar P.S. Case No. 131 of 2024, 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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