

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4538 of 2024

Arising Out of PS. Case No.-232 Year-2018 Thana- KOTWALI District- Patna

1. Monu Kumar, Son of Sri Ram Lal Chaudhary @ Ram Nath Chaudhary, R/v- Faishad Ka Maidan, Back of Chhokha Mandir, P.S.-Chowk, District-Patna
2. Chotu Kumar, Son of Late Jugal Chaudhary @ Yugal Chaudhary, R/v Ram Lakhan Mahto Flat Chamartoli, P.S.-Jakkanpur, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Vijay Kumar Sinha, Advocate
	Mr. Satyendra Kumar Bhatnagar, Advocate
	Mr. Kumar Shivam Sinha, Advocate
	Mr. Santosh Kumar, Advocate
	Mr. Vijay Kumar Sinha, Advocate
For the Opposite Party/s :	Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 31-01-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Special (POCSO) Case no.63 of 2018, arising out of Kotwali P.S. Case no. 232 of 2018 registered under section 376D of the Indian Penal Code and section 6/7 of the POCSO Act.

3. Learned counsel for the petitioners submits that both the petitioners moved this Court earlier for grant of bail in connection with the FIR being Special (POCSO) Case no. 63 of 2018. The petitioner no.1 was granted bail vide order dated



21.2.2019 (Annexure-P/2) passed in Cr. Misc. no.5198 of 2019 while petitioner no.2 was granted bail vide order dated 26.3.2019 (Annexure-P/3) passed in Cr. Misc. no.1014 of 2019. It is further submitted that due to some confusion over the closure and opening of Court due to Covid-19 pandemic, proper *pairvi* was not done and by order dated 10.1.2023, bail bond of both the petitioners were cancelled. Soon after learning about the cancellation, the petitioners surrendered in the learned trial Court on 25.11.2023. The petitioners undertake to cooperate in the trial and to abide by the conditions laid down while grant of bail to them vide the aforesaid orders dated 21.2.2019 and 26.3.2019.

4. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, submissions made, the petitioners having surrendered and having remained in custody since 25.11.2023, both the petitioners are directed to be enlarged on bail in connection with Special (POCSO) Case no. 63 of 2018 (arising out of Kotwali P.S. Case no. 232 of 2018), on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Patna on the



same conditions as was imposed while granting bail to them in the aforesaid orders dated 21.2.2019 (Annexure-P/2) passed in Cr. Misc. no.5198 of 2019 and dated 26.3.2019 (Annexure-P/3) passed in Cr. Misc. no.1014 of 2019.

(Partha Sarthy, J)

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