

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28833 of 2025**

Arising Out of PS. Case No.-452 Year-2022 Thana- BARUN District- Aurangabad

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Raushan Kumar S/o Ashok Kumar @ Ashok Chaudhary Resident of village-  
Nageshwarpur, P.S.- Barun, Distt.- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prabhu Chaudhary S/o Late Ram Prasad Chaudhary R/o Vill.- Dhamani  
Gola, P.S.- Barun, Distt.- Aurangabad

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Anil Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      02-05-2025                      Heard Mr. Pramendra Kumar Singh, learned counsel  
  
for the petitioner and Mr. Anil Kumar, learned Additional Public  
  
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
  
17.11.2022 in connection with POSCO G.R. Case No. 79 of  
  
2022 arising out of Barun P.S. Case No. 452 of 2022, F.I.R.  
  
dated 13.10.2022 for the offences punishable under Sections  
  
341, 323, 504, 366, 366(A) and 376 of the Indian Penal Code  
  
and Sections 8 and 12 of the POSCO Act.

3. According to prosecution case, when the minor  
  
daughter of the complainant went out of her house then the  
  
petitioner and one unknown person forcibly took her and



kidnapped the minor daughter with wrong intention.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and earlier the bail petitioner of the petitioner was rejected vide order dated 08.05.2023 and 26.11.2024 respectively in Cr. Misc. No. 10176 of 2023 and 68955 of 2024. He further submits that while rejecting the bail prayer of the petitioner, the Court has indicated that the petitioner may renew his prayer after framing of the charge. He further submits that the charge has been framed against the petitioner on 05.03.2025 (Annexure-3) and apart from that the petitioner is in custody since 17.11.2022.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, the petitioner is in custody since 17.11.2022 and the charge has been framed against the petitioner on 05.03.2025, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Exclusive Judge (POCSO), Aurangabad in connection with POSCO G.R. Case No. 79 of 2022 arising out of Barun P.S. Case No. 452 of 2022, subject to the following



conditions:-

i. 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.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, 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.

8. However the learned Trial Court is directed to expedite the trial and conclude the same at the earliest

**(Rajesh Kumar Verma, J)**

Jyoti Kumari/-

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