

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89832 of 2024

Arising Out of PS. Case No.-82 Year-2019 Thana- DHANARUA District- Patna

Suraj @ Suraj Kumar @ Sittu @ Sintu S/O Manoj Paswan Resident of -
Kushwan, P.S.- Dhanarua, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Geeta Devi W/O Ranjeet Saw Resident of - Kushwan, P.S.- Dhanarua, Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-02-2025 Heard Mr.Ashok Kumar Jha, learned counsel for the

petitioner and Mr.Ashok Kumar Singh, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
07.09.2024 in connection with Dhanarua P.S. Case No. 82 of
2019, F.I.R. dated 28.02.2019 registered for the offence
punishable under Sections 341,354,509,504,506 of IPC and
Sections 7/8 of POCSO Act.

3. Allegation against the petitioner is that he tried to
outrage the modesty of the daughter of the informant and also
tried to lift her.

4. Learned counsel appearing for the petitioner



submits that the petitioner has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and from a bare perusal of the FIR it appears that the allegation against the petitioner is that he molested the daughter of the informant and it has come during investigation that the age of the daughter of the informant was found 18-19 years old and in view of the aforesaid, POCSO Act is not attracted against the petitioner. Learned counsel for the petitioner submits that due to previous dispute, the petitioner has falsely been implicated in the present case and the police, after investigation, submitted chargesheet against the petitioner on 10.10.2024 and the petitioner is in custody since 07.09.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and apart from that, the petitioner carries one more case other than the present one but he fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, 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 learned A.D.J.-VII-cum-Special Judge, POCSO Act, Patna in connection with Dhanarua P.S. Case No. 82 of 2019, with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

