

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.403 of 2023**

Arising Out of PS. Case No.-11 Year-2019 Thana- SHAHKUND District- Bhagalpur

1. CHHOTU KUMAR @ PRASANT KUMAR Son of Vinay Yadav @ Vinay Kumar Yadav Resident of village - Purani Kasba Kherhi, P.S.- Shahkund, District - Bhagalpur
2. Kaushal Kumar @ Kaushal Yadav Son of Sita Ram Yadav Resident of village - Purani Kasba Kherhi, P.S.- Shahkund, District - Bhagalpur

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Madan Mohan, Adv.  
For the Respondent/s : Mr.Ramchandra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH  
ORAL ORDER**

8 09-02-2024

**I.A. No. 02 of 2024.**

1. This Interlocutory Application has been filed for confirmation of provisional bail of appellant No.1. Chhotu Kumar @ Prasant Kumar granted by convicting trial court and grant of bail to appellant No.2, Kaushal Kumar @ Kaushal Yadav.

2. It is submitted by learned counsel for the appellants that the appellants have been convicted for the offence punishable under Section 12 of POCSO Act and after the conviction, they were granted provisional bail by the convicting trial court and appellant No.1 is still on the said bail and the same may be confirmed however appellant No.2 was



arrested by the police and he is in custody since 07.10.2023.

3. Learned App has no objection to the above-mentioned prayer.

4. Considering the above submission, the provisional bail granted to the appellant No.1 by the convicting trial court is hereby confirmed on the same bail bond taken by the trial court and the appellant No. 1 shall be deemed to be on bail during pendency of this appeal.

5. Considering the fact that appellant No.2, Kaushal Kumar @ Kaushal Yadav was also granted provisional bail by the convicting trial court but he was arrested by the police and he is in custody since 07.10.2023, let the appellant No.2 above-named be enlarged on bail during the pendency of this appeal on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VII-cum Exclusive Special Judge, POCSO Act, Bhagalpur in connection with POCSO case No. 01 of 2019 (Shahkund P.S. Case No. 11/2019).

6. I. A. No. 02 of 2024 stands allowed.

**Cr. Appeal No. 403 of 2023**

7. Heard.



8. Admit.

9. Call for the LCR in connection with POCSO case No. 01 of 2019 (Shahkund P.S. Case No. 11/2019) from the Court of learned Additional District and Sessions Judge-VII-cum Exclusive Special Judge, POCSO Act, Bhagalpur.

10. List this appeal under appropriate heading in due course.

**(Shailendra Singh, J)**

BKS/-

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