

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31936 of 2016

Arising Out of PS.Case No. -304 Year- 2016 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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Mukesh @ Mukesh Kumar, Son of Satan Thakur, Resident of Mohalla-
Garibstan Mandir Hajamtoli, P.S.- Town Muzaffarpur, District-
Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Devendra Kumar, Advocate

For the Opposite Party : Mr. Kumar Ranjit Ranjan (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 17-09-2016 Heard learned counsel for the petitioner and the

learned counsel representing the State.

The petitioner seeks bail in connection with
Muzaffarpur Town P.S. Case No. 304 of 2016 registered for the
offences punishable under Sections 448, 341, 342, 354, 354(A),
354(D), 509, 506 of the Indian Penal Code and Section 8/18 of
POCSO Act.

Allegedly, the petitioner used to tease the daughter of
the informant at the time of going school and some times used to
speak vulgar word, resulting some boy assaulted the petitioner
also but on 01.05.2016 finding her daughter alone, the petitioner
entered into the house and by catching her wanted to do some

wrong act but her daughter cried and informant came by running and caught the boy. Mohalla people also came and police was informed and the petitioner was handed over to the police.

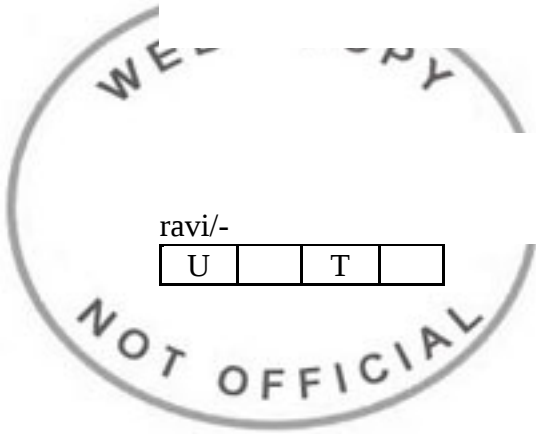
Submission is of false implication and that the petitioner is suffering in custody since 02.05.2016. For lifting garbej, there was some altercation, resulting the false implication of the petitioner. The petitioner has got no criminal antecedent and he by remaining in custody, has been sufficiently penalized.

The learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that the petitioner has no criminal antecedent, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner shall be released on bail on execution of bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Session Judge- Ist-cum- Special Judge, POCSO Act, Muzaffarpur, in connection with Muzaffarpur Town P.S. Case No.304 of 2016, Tr. No. 28 of 2016 subject to the conditions that one of the bailors must be near relative of the petitioner and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial

and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)



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