

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4328 of 2016

Arising Out of PS.Case No. -30 Year- 2015 Thana -MAHILA PS District- AURANGABAD

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1. Arun Kumar Roy @ Anuj Roy son of Late Bijay Kumar Roy resident of
Village- Deo Mohalla Barai Bigha, P.S.- Deo, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Verma

For the Opposite Party/s : Mr. Gopesh Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 29-03-2016 Heard the learned counsel for the petitioner and the
earned A.P.P. representing the State.

The petitioner seeks bail in connection with
Aurangabad Mahila P.S. Case No. 30 of 2015 registered for the
offences punishable under Sections 341, 354 of the Indian Penal
Code and Section 8 of the POCSO Act.

The petitioner being computer teacher tried to
outrage the modesty of the informant aged 11 years who was a
student in his computer centre.

Submission is of false implication, F.I.R. has been
lodged after delay of two days, the petitioner is a married man
having two children, no independent witness supported the
prosecution version, no school staff and student has been

examined except one Rupa Kumari and other witnesses are family members. The petitioner without any fault is suffering in custody since 11.11.2015, and as such, the petitioner deserves sympathetic consideration, to which the learned APP opposes.

In the facts and circumstances stated above, considering that charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence, and as such, the petitioner, above named, is directed to 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 the learned Special Judge, POCSO Act, Aurangabad in connection with Aurangabad Mahila P.S. Case No. 30 of 2015, subject to the conditions that one of the bailors must be a near relative 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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