

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58377 of 2015

Arising Out of PS.Case No. -434 Year- 2015 Thana -MANER District- PATNA

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1. Brij Bihari Singh Son of Late Badri Singh Resident of Village -
Chhitnawan, P.O.- Daudpur, P.S.- Maner, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the informant Mr. Angad Kunwar, Advocate

For the State : Mrs. Rina Sinha(App)

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

ORAL ORDER

3 24-02-2016

Supplementary affidavit has been filed on behalf of

the petitioner annexing the attendance register.

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Maner
P.S. Case No. 434 of 2015 registered for the offence punishable
under Section 354 of the Indian Penal Code and Section 8 and 12
of the POCSO Act.

Allegedly, the petitioner opened the pant of Annu @
Chhoti 5 years aged girl at Anganbari Kendra which is being run
by the wife of the petitioner. It is also alleged that earlier also he
used to do such illegal act with the victim villagers caught the
petitioner and brought at Police Station.

Submission is of false implication and that the
petitioner is an old man aged about 65 years, the victim girl was

refused to sit at Anganbari Centre as she has crossed the age of 6 years but to take advantage of Government scheme her mother was insisting to allow the victim girl to remain as a student of same centre and due to that reason the petitioner has been implicated. The statement of the victim is tutored one. The petitioner is suffering in custody since 7.10.2015.

Learned A.P.P. duly assisted by learned counsel for the informant oppose the prayer of bail by submitting that the victim girl in her statement recorded under Section 164 Cr.P.C, has stated against the petitioner.

In the facts and circumstances stated above, considering the period of detention of the petitioner now he 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 1st Additional Sessions Judge, Patna, in connection with Maner P.S. Case No. 434 of 2015, subject to the conditions that one of the bailors must be 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)

siddharth/-

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