

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18932 of 2016

Arising Out of PS.Case No. -45 Year- 2016 Thana -BARUN District- AURANGABAD

1. Madhusudan Sarswati @ Madusudan Sarswati, S/o Damodar Prasad Gupta @ Damodar Das Gupta, resident of Village- Khemda, P.S.- Barun, District- Aurangabad. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Shakir Ahmad(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 11-07-2016 Supplementary affidavit has been filed on behalf of the petitioner disclosing therein that both parties have filed compromise petition in the learned court below, let it be kept on record.

Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Barun P.S. Case No. 45 of 2016 corresponding to G.R. No. 08 of 2016 registered for the offences punishable under Sections 341 and 354 of the Indian Penal Code and Section 8 of the POCSO Act.

Allegedly, the petitioner caught the hand of minor daughter of the informant in the school and proposed to marry with her in presence of other students.

Submission is of false implication and that the petitioner is a government teacher, prosecution story appears not

probable and reliable, the petitioner has been made victim of the school politics, moreover, now the informant has filed compromise petition also in the learned court below and the petitioner by remaining in custody since 27.03.2016 has been sufficiently penalized.

The learned A.P.P. submits that now chargesheet has already been submitted.

In the facts and circumstances stated above, 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 Sessions Judge (POCSO) Aurangabad in connection with Barun P.S. Case No. 45 of 2016 corresponding to G.R. No. 08/2016 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)

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