

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19430 of 2017

Arising Out of PS.Case No. -98 Year- 2017 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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Sunil Das @ Kallu, Son of Harihar Das, Resident of Village- Marwari Tola,
Police Station- Bagaha, District- West Champaran, Bihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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

ORAL ORDER

4 23-06-2017

Heard learned counsel for the petitioner and learned

counsel representing the State.

The petitioner seeks bail in connection with Bagaha P.S.
Case No. 98 of 2017 registered for the offences punishable under
Sections 341, 324, 354, 354 (ka) (1) (ii) of Indian Penal Code and
Section 8 of POCSO Act.

Allegedly, the petitioner brought 11 years aged daughter of
the informant in a room and started misbehaving with her by
putting a bite on cheek and further pressed her breast.

Submission is of false implication and that the petitioner
runs Satyam Coaching classes and several students filed
representation in this regard. The petitioner has been made victim
of circumstances due to some other dispute, he has been
implicated falsely in this case resulting, the petitioner is suffering



in custody since 25.02.2017, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence. The doctor has found no external injury on the body of the victim.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that the victim in her statement recorded under Section 164 Cr.P.C. has supported the allegation and during investigation sign of bite has also been found.

In the facts and circumstances stated above, considering the period of detention and further chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 Ist Additional Sessions Judge-cum-Special Judge, Bagaha, West Champaran in connection with Bagaha P.S. Case No. 98 of 2017, 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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