

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29776 of 2017

Arising Out of PS.Case No. -73 Year- 2017 Thana -GOPALPUR District-
WESTCHAMPARAN(BETTIAH)

Ekram Gaddi, Son of Amin Gaddi, Resident of Village- Dakahi, P.S.-
Gopalpur, District- West Champaran..... Petitioner

Versus

The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

For the Informant :- Mr. Satyawarat Verma, Advocate

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

ORAL ORDER

2 10-07-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with Gopalpur
P.S. Case No. 73 of 2017 registered for the offences punishable
under Sections 341, 323, 307/34 of the Indian Penal Code,
Section 27 of the Arms Act and Section 8 of POCSO Act.

Allegedly, Ibaran Gaddi, the son of the petitioner, tried to
outrage the modesty of the informant and when the family
members of the informant went at the house of the accused, the
petitioner opened fire with rifle and co-accused Jaudin Gaddi
opened fire with gun.

Submission is of false implication and that no offence
under Section 8 of POCSO Act is made out against the petitioner,
the petitioner without any fault is suffering in custody since



28.05.2017 and as such he deserves sympathetic consideration.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that during investigation the allegation of firing was found true.

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 learned Additional Sessions Judge Ist-cum-Special Judge, Bettiah, West Champaran in connection with Gopalpur P.S. Case No. 73 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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