

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12651 of 2017

Arising Out of PS.Case No. -156 Year- 2016 Thana -BISFI District- MADHUBANI

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Bharat Bhushan Thakur, Son of Late Raghuvash Thakur, Resident of
Village- Raghauli, Police Station- Bisfi, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Deepak Kumar, Advocate

For the Opposite Party : Mr. Tarun Prasad Mandal (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 16-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Bisfi P.S. Case No. 156 of 2016 (G.R. No. 51 of 2016),
registered for the offences punishable under Sections 341, 323,
293, 504, 506, 354/34 of the Indian Penal Code and Section 12 of
POCSO Act.

Allegedly, the petitioner put a letter of two pages in
the copy of the daughter aged about 12 years of the informant and
when the complaint was made, the petitioner and his wife both
misbehaved after using filthy language resulting, the daughter of
the informant has become frightened and her development has
been stopped. The son of the petitioner came and demanded the



letter causing threats to kill her.

Submission is of false implication and that the petitioner has not written any such letter, he has established the school, the wife of the petitioner is headmistress of that school, three children of the informant were student of that school and the informant was not paying tuition fee and then he was scolded resulting, this false case was lodged. Several witnesses during investigation have not supported the prosecution version and stated regarding innocence of the petitioner, earlier the petitioner was noticed under Section 41 Cr.P.C. but later on arrest warrant has been issued, during investigation writing of the informant had not been compared with the writing of that letter and there is no cogent and legal material against the petitioner that he has put that letter in the copy of the daughter of the informant, only on suspicion the petitioner is apprehending his arrest and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer but fairly submits that some of the witnesses during investigation have not supported the prosecution version.

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be



released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Madhubani, in connection with Bisfi P.S. Case No. 156 of 2016 (G.R. 51 of 2016), subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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