

IN THE HIGH COURT OF JUDICATURE AT PATNA**Criminal Miscellaneous No.26290 of 2017**

Arising out of PS.Case No. -19 Year- 2017 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

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Munna Kumar, son of Sudhish Bhagat alias Sudhist Bhagat, Resident of
Areraj, P.S. Gobindganj, District-East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Anang Mohan Sinha

For the Opposite Party/s : Mr. Ram Bachan Singh

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD**

ORAL ORDER

2 06-06-2017 Heard Shri Anang Mohan Sinha, learned advocate
appearing on behalf of the petitioner and learned APP for the
State.

The petitioner is seeking regular bail in connection
with Govindganj (Areraj) P.S. Case No. 19 of 2017 registered
under Sections 341, 323, 354, 504 and 506 of the Indian Penal
Code read with Section 12 of the POCSO Act.

A perusal of the FIR would show that the informant
Sita Kumari has alleged that the petitioner who is her neighbour
took her photograph on his mobile and uploaded the same on the
Face Book. She further alleged that when her father enquired
about this from the petitioner, petitioner abused him and indulged
in assault. She has alleged that the petitioner is involved in teasing



and threatens that he would not allow her marriage to take place.

The learned counsel for the petitioner would submit that the petitioner is aged about 17 years only and has no criminal antecedent. He claims that the petitioner and the daughter of the informant were in touch with each other having good relations and the petitioner has been falsely implicated for that reason alone. He would further submit that in any view of the matter on the bald allegations made in the FIR, section 12 of the POCSO Act would not be applicable and the petitioner having remained in custody for about four months may be enlarged on bail.

The learned APP opposed the prayer for bail.

In the facts and circumstances stated hereinabove, considering the fact that the petitioner is aged about only 17 years and is a neighbour of the informant as also has remained in custody for about four months in the present case, I am inclined to grant bail to the petitioner, namely, Munna Kumar, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge (POCSO Act), East Champaran at Motihari in connection with Gobindganj (Areraj) P.S. Case No. 19 of 2017 ;subject to the condition that one of the



bailors of the petitioner would be his father and in future he should not be found involved in teasing the informant or threatening any family members of the informant.

S.Sb/-

(Rajeev Ranjan Prasad, J)

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