

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 49286 of 2017

Arising Out of PS.Case No. -91 Year- 2015 Thana -TATARPUR District- BHAGALPUR

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Barun Mandal S/o Ambika Mandal, R/o Village- Madhopur, P.S.- Nath
Nagar, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms Pravina Kumari, Advocate
For the State : Mr Shailendra Kumar -2, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **17-10-2017** Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered under
Sections 354B of Indian Penal Code and Section 8 of POCSO Act.

Allegation against the petitioner is of pulling the
scarf of the informant and allegedly trying to catch her. Counsel
for the petitioner submits that the allegations are false as would be
evident from the fact that the place of occurrence is a very busy
place. It is further submitted that there is no eye witness of the
occurrence. It is further submitted that since the petitioner had
gone to Delhi for livelihood, his bail bond stood cancelled on
21.02.2017. Petitioner was finally arrested on 23.07.2017 and



since then he is in custody. It is also submitted that the petitioner has no criminal antecedent.

Considering the aforesaid submissions, petitioner's prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I, Bhagalpur in Tatarpur (Vishwavidyalay) Police Station Case No 91 of 2015/GR No 2663 of 2015 subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on the date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(iii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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