

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6684 of 2017

Arising Out of PS.Case No. -23 Year- 2016 Thana -PIRI BAZAR District- LAKHISARAI

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1. Ajay Mahto Son of - Radhe Matho Resident of Village- Mahsoni, P.S.-
Piri Bazar, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Informant : Mrs. Rakhi Kumari

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 26-04-2017 Heard the parties.

The petitioner seeks regular bail in connection with Piri Bazar P.S.Case No.23 of 2016 registered for offences punishable under Sections 354 & 354(A) of the Indian Penal Code and Section 8 of POCSO Act.

Allegation against the petitioner is about outraging the modesty of the victim girl.

It is submitted on behalf of the petitioner that there is a case and counter case between the parties and the petitioner has been falsely implicated in this case, however, he is in custody for the last six months.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail, stating that now the charge-sheet has been submitted under Section 376 and 511 of



the Indian Penal Code and there is specific allegation against the petitioner.

Having heard both sides and in view of allegation as levelled against the petitioner in the F.I.R., it appears that he removed '*Pant*' of the victim girl and tried to do some wrong act with her but nothing specific has been levelled against him.

Considering this aspect of the matter and also considering the fact that the petitioner is in custody for about six months, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge-I-cum-Special Judge, POCSO, Lakhisarai in connection with Piri Bazar P.S.Case No.23 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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