

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38312 of 2017

Arising Out of PS.Case No. -154 Year- 2016 Thana -SAHPUR District- PATNA

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Govind Rai, S/o Vajir Rai, R/o Village- Madhopur, P.S.- Shahpur, District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary

For the Opposite Party/s : Mr. Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-08-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Special Case No. 168 of 2016, arising out of Shahpur P.S. Case No.154 of 2016 registered for the offences punishable under Sections 147, 148, 149, 34, 323, 324, 354, 307, 452, 379, 504, 507 of the Indian Penal Code and 8/12 of POCSO Act.

Allegation against the petitioner as per FIR is that he showed mobile to the daughter of informant and she showed slipper to him and for that he tried to outrage her modesty and when her brother came to rescue her he was also assaulted by rod.

Submission of learned counsel for the petitioner is that he is neighbour of the informant and there is some dispute between the parties from before and, as such, he has falsely been implicated in this case and no recovery of stolen articles has been made from his possession and he is in custody for five months. It is also submitted that the injury is simple in nature.

Heard learned APP also, who has opposed the prayer for



bail.

Having heard both sides and considering the facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional District Judge-I-cum-Special Judge, POCSO, Patna, in connection with Special Case No. 168 of 2016, arising out of Shahpur P.S.Case No. 110 of 2017, subject to the conditions :-

- (i) One of the bailors should be a local person having sufficient immoveable properties within the jurisdiction of court concerned,
- (ii) Petitioner will co-operate in trial and appear in court on each and every date fixed in the case, failing which his bail bond shall be cancelled,
- (iii) Petitioner will not make any threat to the informant and his family members and tamper with the evidence.

(Vinod Kumar Sinha, J)

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