

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43487 of 2018

Arising Out of PS. Case No.-81 Year-2018 Thana- MAHILA P.S. District- Bhojpur

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Bhirgu Nath Sah @ Pawan @ Bhrigunath Sah, Son of Kapil Muni Sah,
resident of Village- Karamepur, P.S.- Shahpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Sri Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 24-09-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner seeks bail in **POCSO Case No. 38 of 2018**
arising out of Mahila P.S. Case No. 81 of 2018 registered for
the offence punishable under Sections **376(2)(i)/376(d)** of the
Indian Penal Code and Section 4/6 of the POCSO Act.

Informant has alleged of establishing physical relation
with her by one Sanjay Shah on the pretext of marriage but
subsequently he denied marriage. Allegation against the
petitioner is that he was accompanying Sanjay Shah. There is no
allegation of any overt act against the petitioner. Petitioner has
got no criminal antecedent and is in custody since 08.06.2018.

Considering the aforesaid facts and circumstances of
the case, let the petitioner named above be released on bail upon



furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Special Judge (POCSO Act) Bhojpur**, in connection with **POCSO Case No. 38 of 2018 arising out of Mahila P.S. Case No. 81 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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