

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.885 of 2019

Arising Out of PS. Case No.-641 Year-2018 Thana- MASAUDHI District- Patna

Barhan Bind @ Baran Bind son of late Sinath Bind Resident of village -
Dahibhata, P.S - Masaurhi, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Nandan Pandit

For the Opposite Party/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 18-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Masaurhi P.S. Case No. 641 of 2018** registered for the offence punishable under Sections 341, 323, 354(A) and 506 of the Indian Penal Code, under Section 3(i) (r) (w) (i) (ii) SC/ST Act and under Section 8/12 of POCSO Act.

Informant is the father who in his written complaint has stated that on 06.09.2018 at about 12:30 pm his minor daughter Mamta Kumari aged about 4 years was going in the lane suddenly she was caught by the petitioner who tried to disrobe her and tried to commit rape upon her and when she protested he fled away after assaulting her.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to



dispute of wage. Petitioner has got no criminal antecedent and is in custody since 10.09.2018.

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 **A.D.J. 1st Patna-cum-Special Judge, POSCO** in connection with **Masaurhi P.S. Case No. 641 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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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