

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80169 of 2018

Arising Out of PS. Case No.-35 Year-2018 Thana- MAHILA P.S. District- Bhabhua (Kaimur)

Shiv Govind Sah, aged about 82 years, Male, Son of Late Ram Briksh Sah,
resident of Village Lalapur Kudra, P.S. Kudra, District- Kaimur Bhabua.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth

For the Opposite Party/s : Mr. Ram Sumiran Roy

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 31-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Mahila (Bhabua) P.S. Case No. 35 of 2018 registered for the offence punishable under Sections 341, 323, 354, 504/34 of the Indian Penal Code and Section 12 of the POCSO Act.

The informant has alleged that the petitioner is the Secretary of NGO, named, as Gram Swaraj Seva Sansthan, Lalapur, Kudra in which remand home is running on and allegation was made against the guards of the aforesaid Remand Home of misbehaving, abusing and assaulting the Sawansins of Stay Home.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that the petitioner is not named in the



F.I.R. and being the owner of the Remand Home, he has been implicated in this case. Petitioner is 82 years old man and is suffering from several diseases. Petitioner has no criminal antecedent and he is in custody since 29.11.2018. Similarly placed co-accused has already been granted bail by a co-ordinate Bench of this Court as contained in Annexure-P/3.

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 Additional Sessions Judge-I-cum-Special Judge, Kaimur at Bhabua in connection with Mahila (Bhabua) P.S. Case No. 35 of 2018, corresponding to POCSO 35/2018, 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)

Sanjay/-

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