

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26838 of 2019

Arising Out of PS. Case No.-327 Year-2018 Thana- LAXMIPUR District- Jamui

Munna Kumar Tanti, aged about 20 years, male, Son of Ganesh Tanti
Resident of Mahuwagarh, P.S.- Laxmipur, District- Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Satya Prakash Parasar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 24-04-2019 As prayed, learned counsel for the petitioner is permitted to make corrections in paragraph 1 of the petition by adding the offence alleged under Section 3/4 of the POCSO Act in course of the day.

2. Heard learned counsel for the petitioner and learned APP for the State.

3. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 354(A), 379, 504 and 506 of the Indian Penal Code and Section 3/4 of the POCSO Act registered in connection with Laxmipur P.S. Case No. 327 of 2018.

4. It is submitted that the petitioner has been falsely implicated and as a matter of fact, there was love affair between the parties as evident from the informant's registered letters sent on 26.10.2018 addressed to the Station House Officer, Laxmipur, Deputy Superintendent of Police, Jamui and the learned Chief Judicial Magistrate, Jamui (Annexure-2). Even on the averments made in the FIR, the accusations under Section 3/4 of the POCSO Act are not made out against the petitioner and the accusation under Section 379 of the IPC is mere embellishment. The petitioner is a



student having clean antecedents.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.D.J. 1st, Jamui in connection with Laxmipur P.S. Case No. 327 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

(Vikash Jain, J)

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