

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43734 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- MORKAHI District- Khagaria

SHASHI KUMAR @ SHASHIKANT SHARMA, age 18 years, Male, Son of Jaychandra Sharma @ Jaichand Sharma, Resident of Village - Rasonk, P.S.- Morkahi, District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjay Sinha, Advocate.
For the Opposite Party : Mr.Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 27.03.2019 in a case for the offence registered under Sections 341, 323, 354(B), 504 of the IPC and 8 of POCSO Act.

The prosecution story, in brief, is that this petitioner went to the house of the informant on 21.03.2019 at about 5.00 O’Clock and asked about her mother. Upon which, she replied that her mother is not available in the house and then after five minutes, this petitioner again came and entered into her room and caught her hand and thrashed her on the ground and tore her cloth and gave teeth bite on the cheek and further committed serious indecent assault and on hulla, the informant was



assaulted then local neighbours came and she was saved.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to village politics. The allegation made in the F.I.R. is denied by the petitioner. The petitioner happens to be the neighbour of the informant.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1st, Khagaria, in connection with POCSO Case No. 05 of 2019, arising out of Morkahi P.S. Case No. 36/2019.

(Sudhir Singh, J)

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