

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52001 of 2019

Arising Out of PS. Case No.-227 Year-2019 Thana- KRITYANAND NAGAR District-
Purnia

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MUKESH @ MITHLESH KUMAR (Male), aged about 35 years, Son of
Ram Chandra Sah, Resident of Village- Jagarnathpur, P.S.- K. Nagar
(Champanagar), District- Purnia.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Sada Nand Roy, Advocate.
For the Opposite Party : Mr.Amitesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
02.07.2019 in a case for the offence registered under Sections
354(B), 506 of the IPC and 8 of POCSO Act.

The prosecution story, in brief, is that the daughter of
the informant, Shampa Kumari aged about 14 years, used to go
coaching for study of her villager Mukesh @ Mithilesh Kumar
(petitioner). On 21.05.2019, her daughter came with weeping to
her home and on enquiry, she disclosed that when other students
went away from the coaching then the petitioner touched her
private parts of her body and pressed the same. When the victim



tried to flee away, the petitioner said her if the matter is reported to anyone she would be killed and acid will be put on her body. When the informant reported about the incident to the father of the petitioner then he said that his son is out of order so appropriate action will take against him.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no other substantive evidence to suggest the implication of the petitioner in the present case. It is further submitted that the petitioner may be released on bail after completion of six months in custody.

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 after completion of six months in custody on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge (POSCO Act), Purnea, in connection with Special Case No. 46 of 2019, arising out of K. Nagar (Champanagar)



P.S. Case No. 227 of 2019.

(Sudhir Singh, J)

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