

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69878 of 2019

Arising Out of PS. Case No.-3 Year-2019 Thana- BALTHAR District- West Champaran

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TABREJ DHOBI Son of Late Mustakim Mian @ Md. Musalim Miyan
Resident of Village - Bhawani, P.S.- Balthar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-12-2019 Heard learned counsel for the parties.

This application for regular bail arises out of Belthar P.S. Case No. 03 of 2019, disclosing the offence under Sections 341, 323, 354, 504, 506/34 of the Indian Penal Code and Section 8 of the POCSO Act.

Petitioner is in custody since 29.07.2019.

Learned counsel appearing on behalf of the petitioner has submitted that even if the allegation made in the First Information Report is treated to be correct, no offence beyond Section 8 of the POCSO Act is made out. He has submitted that the case of the prosecution that the petitioner, a teacher, would have bitten the chicks of the victim, is unbelievable. He has further submitted that even the parents of the victim including



the informant have now realised true state of affairs and they do not intend to pursue the matter any more.

Considering the above submission and the fact that the petitioner has remained in custody for nearly five months, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Additional District and Sessions Judge-I cum Special Judge, West Champaran at Bettiah in Balthar P.S. Case No. 03 of 2019.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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