

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72047 of 2019

Arising Out of PS. Case No.-594 Year-2019 Thana- BEGUSARAI TOWN District- Begusarai

1. Md. Souful @ Shaiful @ Sariful @ Md. Sariful @ Md. Sarifal @ Sarful,
Son of Md. Sahnawaz @ Sahnawaz
2. Vishal Kumar @ Vishal Alam @ Zeeshan Alam, Son of Md. Murtuza
Both are Resident of Village - Chamra Godown, Miyanchak, Goushla Road,
Ward No. 22, P.S.- Town (Ratanpur O.P), Distt - Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners in the present case are seeking regular
bail in connection with POCSO Case No.65 of 2019 arising out of
Begusarai Town P.S. Case No.594 of 2019 registered for the
offence punishable under Sections 354(B), (D)/509/34 of the
Indian Penal Code and Section 12 of POCSO Act.

Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in this
case. Learned counsel submits that the petitioners and the
informant are next-door neighbours and due to dispute over Nala
the present case has been lodged.



Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners that they are co-villagers of the informant and story as narrated in the FIR seems to be highly improbable and in the FIR itself the informant has stated that no wrong act has been done by these petitioners with the daughter of the informant and thereafter she does not want her daughter to undergo for any medical examination, the petitioners being in custody since 11.10.2019 and it is submitted that both the parties being neighbours have settled their dispute amicably and now they want to live peacefully, let the petitioners above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge Ist-cum-Special Judge, POCSO Act, Begusarai in connection with POCSO Case No.65 of 2019 arising out of Begusarai Town P.S. Case No.594 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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