

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65764 of 2018

Arising Out of PS. Case No.-788 Year-2018 Thana- BIHTA District- Patna

Munna Singh @ Muneshwar Sharma Son of Late Mushi Sharma Resident of
Village-Sikandarpur, Police Station-Bihta, Distt.-Patna

... .. Petitioner/s

Versus

The State Of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Dwivedi

For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 01-02-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bihta P.S. Case no. 788 of 2018, registered under Sections 447, 504 and 506 of the Indian Penal Code and Section 4 of the POCSO Act.

The accusation is that on 16.07.2018 at about 12 O'clock, daughter of informant had gone to school situated in her village, where Munna Singh, teacher, assaulted her through fist at her back and also put his hand on her breast, when her daughter made protest then Munna Singh came at her door and abused and gave threatening to the informant.

Learned counsel for the petitioner submits that, in fact, husband of the informant had come in school in drunken



state, where petitioner made protest and due to that reasons, the present case has been lodged after one day of the alleged occurrence. Further submission is that while students have been examined during the course of investigation, as detailed in paragraph Nos. 5 and 6 of the case diary, in which they have stated that they have not seen the occurrence, rather, they had narrated the story as given by the informant.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. District and Sessions Judge-I-cum-Special Judge, POCSO, Patna in connection with Bihta P.S. Case No. 788 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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