

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3162 of 2019

Arising Out of PS. Case No.-283 Year-2018 Thana- PATORI District- Samastipur

Manoj Sah @ Manoj Kumar Sah, Son of Late Lallan Sah, resident of village
Bahadurpur Patory, P.S. Patory, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Mr. Md. Mushtaque Alam

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 15-02-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 354B of the Indian Penal
Code and Section 8 of POCSO Act 2012.

Petitioner who runs the grocery shop is said to
have misbehaved with the minor daughter of the informant and
also tried to strip off her attire taking her inside the room of the
shop who had gone there to purchase some articles from his
shop.

It is submitted by learned counsel for the
petitioner that the petitioner is quite innocent. He has committed
no offence. No such occurrence as alleged ever took place. As a
matter of fact, informant used to purchase articles from the shop



of the petitioner on credit and on demand of the money by the petitioner, he has been falsely implicated by the informant by setting his minor daughter to usurp his dues money. Independent witnesses in Para 64 and 65 of the case diary have stated that the petitioner had displayed them register having entry of the purchase of the articles from his shop by the informant on credit. They have also divulged that the informant has falsely implicated him to usurp the aforesaid money by setting his minor daughter and making false allegation against him. The victim in her statement recorded under Section 164 Cr.P.C. has stated that after the occurrence petitioner Manoj Sah accorded her chocolate and kept her engaged in watching TV at his room which appears to be quite improbable. The petitioner has been languishing in custody since 29.10.2018.

On the other hand, learned APP for the State and learned counsel for the informant opposing the bail petition submitted that the independent witnesses in Para-32, 33 and 34 of the case diary have supported the occurrence. Hence the petitioner does not deserve bail.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of



the like amount each to the satisfaction of the learned Additional District and Sessions Judge-I cum Special Judge, POCSO Act, Samastipur in connection with Patory P.S. Case No. 283 of 2018.

(Prakash Chandra Jaiswal, J)

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