

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1337 of 2020

Arising Out of PS. Case No.-120 Year-2019 Thana- MATIHANI District- Begusarai

RAMLOCHAN TANTI Son of Pago Tanti Resident of Village - Pannapur,
P.S.- Matihani, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Vikram Deo Singh, Advocate
Mr.Shree Niwas Singh, Advocate
For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 01-09-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Matihani P.S Case no. 120 of 2019 registered under section 354 of the Indian Penal Code and sections 7 and 8 of the POCSO Act.

As per allegation in the FIR, it is stated by the informant that her 14 year old minor daughter was being teased by the petitioner herein. She further states that she raised the matter in the Panchayati but the accused persons were not ready to accept the same. It is further stated by the informant that she is convinced that the petitioner may do something with her minor daughter in future.



It is submitted by learned counsel for the petitioner that the FIR in question was registered on 7.8.2019 wherein the informant had stated about the petitioner teasing her minor daughter 10 days ago. Similar statement was made in course of investigation when her further statement was recorded. However, it is submitted that the daughter of the informant in her statement recorded on the same day mentions about rape being committed by the petitioner 10 days ago. It is submitted that in case any occurrence as alleged had taken place the same would have found mention in the FIR as the alleged occurrence is stated to have taken place 10 days prior to lodging of the FIR. In reference to statement under section 164 Cr.P.C recorded on 9.10.2019 it is submitted that herein also the victim talks about the occurrence having taken place 10 days ago. Further referring to the medical report it is submitted that in the opinion of the doctor no evidence of recent sexual assault was found on the victim. The petitioner has no criminal antecedent, he is in custody since 24.10.2019 i.e. more than 10 months and charge sheet has been submitted in the case.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and



taking into consideration the facts and circumstances of the case including the medical report as also the fact that charge sheet has been submitted in the case, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Matihani P.S Case no. 120 of 2019 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge I-cum-Special Judge POCSO Act, Begusarai.

(Partha Sarthy, J)

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