

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7508 of 2020

Arising Out of PS. Case No.-323 Year-2019 Thana- GHORASAHAN District- East
Champaran

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MANISH KUMAR Son of Birendra Prasade Resident of Village- Bagaha,
P.S.- Ghorasahan, Distt- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr.Madhurendra Kumar
For the Opposite Party/s	:	Mr.Harendra Prasad
For the Informant	:	Mr. Ravi Prakash Dwivedi

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-05-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 323, 341, 342, 376, 511, 307 of the
Indian Penal Code and 8 and 10 of POCSO Act.

The prosecution case in short is that the accused
person came to the house of the informant and took her minor
daughter at his house and tried to outrage her modesty and
when the victim cried then the people came and recovered the



victim from his house.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.09.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. The petitioner and the victim happens to be neighbour. Due to previous enmity, the petitioner has been made accused in the present case. The medical examination report of the victim is Annexure-2 to the present application in which no external injury is said to have been found on the body of the victim.

On behalf of the State and the informant, it is submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, is directed to be released on bail on his personal bond to the satisfaction of learned 1st Additional Sessions Judge -cum- Special Judge, POCSO Act, East Champaran at Motihari in connection with POCSO Trial No. 72 of 2019 arising out of Ghorasahan P.S. Case No. 323 of 2019.

Once the normalcy is restored, the petitioner shall



furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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