

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20577 of 2020

Arising Out of PS. Case No.-14 Year-2020 Thana- BIRAUL District- Darbhanga

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Pappu Tanti Son of Laltoon Tanti @ Lantooni Tanti Resident of Village-
Neuri, P.S.- Biraul, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Suraj Narain Yadav, Adv.

For the Opposite Party : Mr. Ram Priya Sharan Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 02-09-2020 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State through video

conferencing.

The office has pointed out that name of petitioner
does not tally with first para of impugned order and similarly,
father's name of petitioner also does not tally. The office has
further pointed out that deponent is father of the petitioner but in
the impugned order before the name of father of the petitioner,
word "late" has been mentioned.

Learned counsel appearing for the petitioner submits
that at para 11 of the petition, it has been clarified that learned
court below wrongly mentioned the name of petitioner as Pappu
Tanti @ Laltun Tanti whereas name of petitioner is only Pappu



Tanti and his father's name is Laltoon Tanti @ Lantuni Tanti. Learned counsel of the petitioner further submits that the office further points out that in the aforesaid para 11, it has also been mentioned that trial court mentioned the name of petitioner's father as late Laltuni Tanti but that is only a typing error and as a matter of fact, the petitioner's father is alive and his name is Laltoon Tanti @ Lantuni Tanti

In view of the aforesaid submissions, defects as pointed out by the office are ignored.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 354(B), 506, 509/34 of the Indian Penal Code and Section 8, 12 of POCSO Act.

Learned counsel of the petitioner further submits that accusation against the petitioner is that he along with FIR named accused Rohit Tanti took the informant's minor grand daughter with bad intention. He submits that according to prosecution case itself, no attempt to outrage the modesty of victim was taken by the petitioner and his associate and as a matter of fact, the informant himself admitted in his written report that his grand daughter disclosed that she was being taken by petitioner and co-accused Rohit Tanti. He further submits that petitioner and Rohit Tanti are agnates of the informant and



as a matter of fact, the present case was brought by the informant with exaggerated story on account of land dispute. He further points out that petitioner is in jail custody since 14.01.2020 without having any criminal antecedent and the investigation against him has already been completed.

On the other hand, learned Additional Public Prosecutor opposed the prayer but considering the facts and circumstances of the case as well as submissions of the parties and also taking note of period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge cum Special Judge (POCSO), Darbhanga in connection with Biraul P.S. Case No. 14 of 2020 corresponding to POCSO G.R. Case No. 03 of 2020.

(Hemant Kumar Srivastava, J)

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