

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.19944 of 2020**

Arising Out of PS. Case No.-846 Year-2017 Thana- MUZAFFARPUR TOWN District-  
Muzaffarpur

=====

BIPIN KUMAR @ SECRATAY @ SECRETARY S/o Jagarnath Mahto,  
Resident of Village- Balakothi, P.S.- Rajepur Tetariya, District- East  
Champaran (Motihari).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Chandra Shekhar Anand, Adv.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA  
ORAL ORDER**

2      01-07-2020                      Heard both sides through Video Conferencing.

Petitioner seeks bail in Muzaffarpur Town P.S. Case  
No.846 of 2017 registered under Sections 341, 323, 354(A),  
354(B) of the IPC and under Sections 10 and 12 of the POCSO  
Act as well as under section 37(C) of the Bihar Prohibition and  
Excise Act.

Learned counsel for the petitioner submits that the  
petitioner was granted bail by the learned court below on  
05.12.2017 when the case was under investigation. The  
Investigating Officer thereafter submitted charge sheet but no  
summon was served on the petitioner and, therefore, the  
petitioner could not appear in the court below after taking  
cognizance in the case. The petitioner is in jail since 15.03.2020.



The petitioner has already remained in jail for more than three and half months.

Having considered the facts that the petitioner was on bail when the case was under investigation but the petitioner did not appear in the case after cognizance because the petitioner did not receive any summon, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of like amount each to the satisfaction of learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, POCSO Act, Muzaffarpur in connection with Muzaffarpur Town P.S. Case No.846 of 2017 (Trial No.11 of 2018).

**(Prabhat Kumar Jha, J)**

Harish/-

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