

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21262 of 2020

Arising Out of PS. Case No.-353 Year-2019 Thana- RAJAON District- Banka

BALMIKI SHARMA Son of Chhote Sharma Resident of Village -
Bakkhadda, P.S.- Rajoun, Dist.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 03-09-2020 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection
with Rajoun P.S. Case No. 353 of 2019 (GR No. 113
of 2019), registered for the offence punishable
under Section 354(B) of the Indian Penal Code and
Section 8 of the POCSO Act.

The allegation is regarding the petitioner
having molested the daughter of the informant and
groped her body with ill motive.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, he has
been falsely implicated in the present case, he is



having a clean antecedent and he is languishing in custody since 03.02.2020. It is further submitted that the petitioner has been roped in the present case on account of previous enmity.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner herein as also the fact that the petitioner is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail, however, it is clarified that in case, any complaint is made by the informant or his daughter before the learned court below regarding the misbehavior on the part of the petitioner or any threat being given by the petitioner to them, the learned court below shall be competent to consider cancelling the bail bonds of the petitioner herein and take him into custody after giving adequate opportunity of hearing to both the



parties.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, I, Banka in connection with Rajoun P.S. Case No. 353 of 2019 (GR No. 113 of 2019).

(Mohit Kumar Shah, J)

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