

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25870 of 2020

Arising Out of PS. Case No.-849 Year-2019 Thana- BANKA District- Banka

PINTOO KUMAR S/o Kailash Mistri Resident of Village-Baluachak
Jamgaon, P.S.-Jagdishpur, District-Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 10-12-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Banka P.S. Case No.849 of 2019(G.R. No.163 of 2019) registered under Section 372 of the Indian Penal Code, under Section 5(K) of the Immoral Traffic Prevention Act and under Section 4 of the POCSO Act.

The informant alleged that he saw many people assembled at a place where truck was parked. When the informant went there, he saw two persons including the petitioner were misbehaving with the girl.

The learned counsel for the petitioner submits that petitioner was sitting in the truck. The lady asked for lift. She was seated in the truck. The petitioner did not misbehave with the lady. The petitioner is in jail since 25.11.2019. Petitioner has already remained in jail for more than a year.



Learned A.P.P. opposed the prayer for bail.

Perused the F.I.R. and the case diary. The petitioner and Ankit caught the minor girl seated in the truck and thereafter they tried to outrage her modesty but on alarm, many people assembled there and saved the girl from being outraged. The victim also made her statement under Section 164 Cr.P.C. and she disclosed that both the accused were trying to outrage her modesty.

Taking into consideration the fact that an attempt was made to outrage the victim for that the petitioner has already remained in jail for more than a year, let the petitioner, above named, be enlarged on bail 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, Banka in connection with Banka P.S. Case No.849 of 2019(G.R. No.163 of 2019), subject to the condition that one of the bailors shall be local having substantial immovable property.

(Prabhat Kumar Jha, J)

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