

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23729 of 2020

Arising Out of PS. Case No.-430 Year-2014 Thana- BETTIAH CITY District- West
Champaran

=====

MITHU KUMAR, S/o Sri Ashok Kumar Gupta, Resident of Village-
Kalibagh, Ward No.12, P.S.-Bettiah Town (Kaibag O.P.), District-West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Dilip Kumar No. 1

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-11-2020 Heard learned counsel for the petitioner and learned

APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 341, 323, 447, 448, 354-B,
506/34 of the Indian Penal Code and 8 of the Protection of
Children from Sexual Offence Act, 2012 (POCSO Act).

Allegation against the petitioner along with other
accused persons is of committing sexual assault to the informant
and also assaulted the sister and mother of the informant.

Learned counsel for the petitioner submits that the
petitioner is quite innocent and has not committed any offence,
much less, the offence as alleged against him and that he is
simply a victim of false implication in this case due to previous



enmity, annoyance and ill-feeling. The petitioner is in jail custody since 04.03.2020 and has got no criminal antecedent which is mentioned in para 3 of the bail petition. He further submits that co-accused have been granted bail by the Co-ordinate Benches of this Court vide order dated 03.03.2015 passed in Cr. Misc. No. 46040/2014 and order dated 26.07.2018 passed in Cr. Misc. No. 43894/2018.

Learned APP for the State opposes the prayer for bail petition.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, **be released on bail after framing of the charge** on furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge cum Special Judge, West Champaran at Bettiah, in connection with Bettiah Town P.S. Case No. 430 of 2014.

(Anjani Kumar Sharan, J)

amitkumar/-

U		T	
---	--	---	--

