

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24023 of 2020

Arising Out of PS. Case No.-75 Year-2020 Thana- SHAMBHUGANJ District- Banka

Fulchandra Singh S/o- Madan Singh Resident of Village- Jhakhara, P.S.-
Shambhuganj, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-09-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Shambhuganj P.S. Case
No. 75 of 2020, registered for the offence punishable under
Section 354(B) of the Indian Penal Code and Section 8 of the
POCSO Act.

As per prosecution case, the allegation against
petitioner is that he tried to misbehave and outrage the modesty
of informant and it is further alleged that when informant raised
alarm, upon which, villagers assembled, nabbed this petitioner
and handed over to police

It is submitted on behalf of petitioner that petitioner is
innocent and has committed no offence and has falsely been
implicated in this case. In fact, petitioner had gone to collect the



previous dues amount i.e. Rs. 20,000/- from the mother of informant and on refusal to pay the same, quarrel took place, in which, neighbour assembled and petitioner was handed over to police. The petitioner is in custody since 01-04-2020.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioner 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 Additional Sessions Judge-I, Banka in connection with Shambhuganj P.S. Case No. 75 of 2020 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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