

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76447 of 2019

Arising Out of PS. Case No.-120 Year-2019 Thana- BAUSI District- Araria

Mukesh Mandal, Son of Bisho Mandal @ Viso Mandal, Resident of Village -
Basaithi, P.S.- Bounsi, Distt.- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Md. Naushad Uzzoha, Advocate

For the Opposite Party : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 22-06-2020 Heard learned counsel for the petitioner and
learned counsel for the State via video conferencing.

By way of the present application, the petitioner has sought for pre-arrest bail in connection with Special (POCSO) Case No.55 of 2019 arising out of Bounsi P.S. Case No.120 of 2019 registered for the offences punishable under Sections 448, 341, 323, 354B, 504, 506, 509 of the Indian Penal Code and sections 8 and 12 of the Protection of Children from Sexual Offences Act.

It is contended by the learned counsel for the petitioner that the instant case is nothing but the counter blast of Bounsi P.S. Case No. 117 of 2019 dated 05.09.2019 registered inter alia under Sections 307 of the Indian Penal Code on the basis of the written report submitted by the brother of the



petitioner. In the said case, the father of the informant and others have been made named accused. It is further contended that there is no plausible explanation for the delay of two days caused in instituting the first information report.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner.

Regard being had to the materials on record, the fact that the instant case has been registered on 6th of September, 2019 for an alleged occurrence which took place on 04.09.2019 at 6:00 p.m. and that too after the brother of the petitioner instituted a criminal case against the father of the informant, the petitioner is directed to be released on bail in the event of arrest or surrender in the court below on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions-cum-Special Judge, Araria in connection with Special (POCSO) Case No. 55 of 2019 arising out of Bounsi P.S. Case No.120 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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

