

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86502 of 2019

Arising Out of PS. Case No.-27 Year-2018 Thana- MAHILA P.S. District- Samastipur
=====

SANJIT KUMAR SHARMA Son of Ram Babu Sharma Resident of Village -
Nikashpur, P.S. - Tajpur, District - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Mr.Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 19-06-2020 Heard Mr. Bijay Bhushan Prasad, learned counsel
for the petitioner and Mr. Ramchandra Sahni, learned APP
for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Mahila P.S. Case No. 27 of 2018
dated 22.07.2018 instituted for the offences under Sections
323, 341, 354, 354B and 354D of the Indian Penal Code
and Section 4 of the POCSO Act.

It has been alleged in the First Information Report
that an attempt was made to forcibly take the photograph of
the daughter and niece of the informant.

It has been submitted on behalf of the petitioner



that an absolutely false case has been lodged against the petitioner and others. The fact of the matter as has been stated in the bail petition is that the sister of the petitioner namely Kanchan Kumari was kidnapped by the family members of the informant. Whereafter, the sister of the petitioner was sexually exploited by one Sanjay Ram and Vijay Kumar Ram at Calcutta. The sister of the petitioner was recovered and a case was registered vide Tajpur P.S. Case No. 255/2018. The sister of the petitioner also gave her statement under Section 164 Cr.P.C. before the Magistrate, in which she has alleged that she was kidnapped and raped.

As a retaliation of the aforesaid case, the present case has been lodged. No photograph of the daughter or niece of the informant has been recovered by the police. Considering these aspects of the matter, two other accused persons of this case have been granted anticipatory bail by a Bench of this Court.

Regard being had to the aforesaid facts, the petitioner, above named, is directed to be released on bail,



in the event of his arrest or surrender before the court below
within a period of six weeks from the date of receipt /
production of a copy of this order, on furnishing bail bonds
of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of
the like amount each to the satisfaction of learned Sessions
Judge -I, Samastipur, in connection with Mahila P.S. Case
No. 27 of 2018, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure

(Ashutosh Kumar, J)

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