

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85901 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- MAHILA P.S. District- Rohtas

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Ram Kishun Sah, Son of Mahendra Saw @ Mahendra Sah, Resident of
Village - Dariyapur, P.S.- Udwant Nagar, Distt - Bhojpur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with POCSO Case No. 49 of 2019 arising out of Rohtas Mahila P.S. Case No. 36 of 2019 registered for the offences punishable under Sections 376, 504, 506, 34 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner has been made victim of conspiracy just because he happens to be the father of one Uday Kumar without any specific knowledge of alleged occurrence. The petitioner is in jail custody since 29.10.2019.



Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and the submission of learned counsel for the petitioner stating that so far as this petitioner is concerned, he has neither been involved in saying the victim girl to come to his house or to accompany his son at Bangalore and further submission that in the nature of relationship between the two families the whole occurrence as alleged has to be seen and then there being no allegation of being involved in the alleged offence, the petitioner being in custody since 29.10.2019, let the petitioner above named be released on bail in connection with POCSO Case No. 49 of 2019 arising out of Rohtas Mahila P.S. Case No. 36 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional District and Sessions Judge, Sasaram, Rohtas, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of



the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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