

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82905 of 2019

Arising Out of PS. Case No.-494 Year-2019 Thana- HAJIPUR District- Vaishali

Sanjeet Kumar @ Sanjeet, Son of Jai Mangal Rai, Resident of Village -
Rambhadra (Ramchaura Mandir), P.S.- Hajipur Town, Distt - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Mohammed Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 18-03-2020 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 Hajipur Town P.S. Case No. 494 of 2019 registered for the offences punishable under Sections 341, 323, 354(A), 354(D), 506/34 of the Indian Penal Code, Section 27 of the Arms Act, Section 67 I.T. Act and Sections 8, 12, 13(C) of POCSO Act.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that there is a case and counter case also.

Learned A.P.P. for the State has opposed the prayer for regular bail.



Considering the facts and circumstances of the case, wherein it is the submission of learned counsel for the petitioner that there is a case and counter case, the first case being Hajipur Town P.S. Case No. 493 of 2019 has been lodged by the uncle of this petitioner in which it is alleged that out of some business rivalries there had been a scuffle between the members of the two families and then brother of the present informant had fired from his pistol and he was caught by the people who had assembled there, the second F.I.R. being present in which the allegation has been made that this petitioner had been indulged in eve-teasing to the informant and for that reason the case has been lodged, in the nature of the submissions, the case and counter case and the petitioner having remained in custody since 19.10.2019, the investigation against him is complete and it is not the submission of the prosecution that the release of the petitioner is likely to interfere with the progress in course of trial and there is no chance of tampering with the evidence, let the petitioner above named be released on bail in connection with Hajipur Town P.S. Case No. 494 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 Additional Sessions Judge-1st-cum-Special Judge (POCSO Act), Vaishali at



Hajipur, 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)

vats/-

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