

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14828 of 2021**

Arising Out of PS. Case No.-279 Year-2020 Thana- LALGANJ District- Vaishali

Sanjit Kumar @ Sanjeet Kumar, Son of Ram Das Ray, Resident of Village-
Amritpur, P.S.- Vaishali, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 25-08-2021 The matter has been taken up today for
consideration through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Lalganj P.S. Case No.279 of 2020 registered for the offence
punishable under Sections 341, 323, 504, 506, 34 of the Indian
Penal Code and Sections 7, 8, 12 of the POCSO Act.

It is alleged that co-accused Rajiv Kumar, Manish
Kumar and the instant petitioner have accosted the informant



while she was on her way. It is alleged that co-accused Rajiv Kumar has caught her by her collar and has also assaulted her. Against the petitioner and co-accused Manish Kumar, there is an allegation of using obscene words and comments.

Petitioner's counsel submits that the petitioner has falsely been implicated in this case. Having no criminal antecedents, he is in custody since 14.09.2020. There is no allegation of assault or manhandling by the petitioner. Prayer for bail is also made on the ground of parity with co-accused Manish Kumar, who has been granted bail in Cr.Misc. No.11514 of 2021, vide order dated 09.07.2021.

Learned APP for the State has opposed the prayer for bail. However, no distinction can be drawn between the allegation levelled against the petitioner and co-accused Manish Kumar.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of learned
Exclusive Special Court POCSO-cum-A.D.J.-VI, Vaishali,
Hajipur, in connection with Lalganj P.S. Case No.279 of 2020,
subject to the following conditions:

(i) That one of the bailors will
be a close relative of the petitioner who will
give an affidavit giving genealogy as to how
he is related with the petitioner. The bailor
will also undertake to inform the court if
there is any change in the address of the
petitioner.

(ii) That the petitioner will be
well represented on each date and if he fails
to do so on two consecutive dates, his bail
bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel
would honour her undertaking in the instant proceedings
regarding supply of the requisite court fee etc. within two weeks
from the date she is called upon to do so by the office.

(Madhuresh Prasad, J)

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