

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27379 of 2021

Arising Out of PS. Case No.-26 Year-2021 Thana- FALKA District- Katihar

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MITHUN THAKUR @ MITHUN KUMAR SON OF BHAJAN THAKUR
R/O MAHESHPUR, P.S- FALKA, DIST- KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Mandal, Advocate.

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 01-10-2021

Heard the parties in virtual Court.

The petitioner is languishing in custody for the offence punishable under Section 354B of the Indian Penal Code and Section 8 of the POCSO Act.

The petitioner has got no criminal antecedent and is in custody since 28.01.2021. Investigation of the case is already complete.

Allegation is of sexual harassment to the informant by taking advantage of her loneliness.

Submission is that both sides are co-villagers. Since money of the petitioner was due with the brother of the informant and for that there was dispute between the two families, the present case is just to falsely harass the petitioner.



Considering the nature of allegation and completion of investigation as well as no material to substantiate that the petitioner is going to tamper with the evidence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Falka P.S. Case No. 26 of 2021, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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