

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23140 of 2020

Arising Out of PS. Case No.-193 Year-2019 Thana- TURKAULIYA District- East
Champaran

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PRASAD MANJHI Son of Late Sheodhar Manjhi Resident of Village-
Balganga, P.S.- Turkaulia (Raghunathpur), District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 24-02-2021 Heard learned counsel for the petitioner and learned
APP for the State. Learned counsel for the petitioner hereby
undertakes to remove all defects pointed out by the Stamp
Reporter as and when required. It is accordingly directed that all
defects pointed out by the Stamp Reporter be removed within
one month hereof.

2. The petitioner, who is in custody since 25.03.2019,
has renewed his prayer for bail in connection with POCSO Trial
No.36 of 2019 corresponding to Turkauliya (Raghunathpur) P.S.
Case No. 193 of 2019, having earlier been rejected by order
dated 27.11.2019 in Cr.Misc. No. 42751 of 2019 for the alleged
offences under Sections 323, 354(B), 376 and 511 of the Indian
Penal Code and Section 4/6 of the POCSO Act.



3. It is submitted that the petitioner has been falsely implicated in the backdrop of dispute as the informant used to sell liquor. It is submitted that the petitioner has already suffered almost two years in custody.

4. Pursuant to the order dated 20.01.2021, a status report has been received in which it is stated that charges have been framed on 05.08.2019. It is stated that five prosecution witnesses including the informant have been examined, while one of the cited witnesses is said to have died. Even though the informant has supported the prosecution case in his examination-in-chief, he has admitted the innocence of the accused in his cross-examination. Other witnesses have not supported the prosecution case and have been declared hostile. The petitioner is accused in one prior case of different nature in which he is on bail.

5. Learned APP appears and has been heard.

6. Be that as it may and having regard to the period of custody already suffered since 25.03.2019, 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 Special Judge, POCSO Act, East Champaran at Motihari in connection with POCSO Trial



No. 36 of 2019 corresponding to Turkauliya (Raghunathpur)
P.S. Case No. 193 of 2019, if he is not otherwise required in any
other case.

7. Office shall follow-up to ensure that all defects are
removed and compliance with the notices of this Court are made
by the petitioner within the stipulated time provided in para 1
hereinabove, failing which the matter shall be brought to the
notice of this Court.

(Vikash Jain, J)

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