

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 28504 of 2020

Arising Out of PS. Case No.-233 Year-2020 Thana- AHYAPUR District- Muzaffarpur

SANTOSH KUMAR S/o Late Anirudh Sahani Resident of Village-Kolhua,
Paigambarpur, P.S.-Ahiyapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 29-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 21.05.2020 in connection with Ahiyapur P.S. Case No. 233 of 2020 registered for the offences punishable under Sections 341/323/504/34 of the Indian Penal Code and Section 12 of the POCSO Act.

As per the prosecution case, while the informant was returning home from market, this petitioner along with other co-accused made some sexually coloured remarks and also took photographs of the victim girl and on protest, both the accused persons began to assault the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that both the petitioner and the



informant are resident of same village and known to each other from before. It is next submitted that one week prior to the alleged occurrence, there was some hot exchange of words between the family members of the parties and in order to take revenge, this false case has been lodge against him. Charge-sheet has already been submitted in this case. The petitioner is in custody since 21.05.2020 and has got no criminal antecedent.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Sessions Judge,1st, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 233 of 2020, subject to following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

(Prabhat Kumar Singh, J)

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