

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35195 of 2020

Arising Out of PS. Case No.-255 Year-2020 Thana- PATNA CITY CHOWK District- Patna

GANESH MALAKAR, Son of SUNIL MALAKAR Resident of Village -
Chowk Sikarpur Goraiya Asthan, P.S.- Chowk, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-03-2021 Heard Mr. Jay Ram Prasad, learned counsel for

the petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Chowk P. S. Case No. 255 of
2020, dated 03.08.2020, instituted for the offences
under Section 354 (B) of the Indian Penal Code and
Section 8 of the POCSO Act, 2012.

It has been alleged by the informant that while
he was sleeping in his house along with his minor
daughter, his neighbour, the petitioner, came and tried
to molest his daughter.

The learned counsel for the petitioner has



submitted that an absolutely absurd allegation has been levelled against the petitioner.

It does not appear to be possible, it has been argued that a neighbour would come to the house of the informant to molest his daughter while she was sleeping along with him.

Apart from this, it has been submitted that the petitioner and the informant being close neighbour are at loggerheads with respect to a dispute regarding drainage of filthy water. The accusation has been levelled only for putting pressure upon the petitioner not to pursue his claim of closing the drain or diverting it through other channels.

Regard being had to the nature of accusation and taking into account the fact that the petitioner is the next door neighbour of the informant and there has been a dispute between the petitioner and the informant, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the



court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. - II, Patna City, in connection with Chowk P. S. Case No. 255 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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