

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37923 of 2020

Arising Out of PS. Case No.-88 Year-2018 Thana- MAHILA P.S. District- Patna

Sujit Kumar Son Of Bijendra Kumar Das Resident Of Mohalla Nargada
Chamartoli, P.S. Shahpur, District Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Santosh Kumar Singh, Advocate
For the State	:	Md. Nazir Ansari APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 26-02-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Mahila PS Case No.88 of 2018 Spl. (POCSO) 143 of 2018 instituted for the offence under Sections 354(A), 354(D) of the Indian Penal Code and Section 8/12 of the POCSO Act.

The informant has alleged that the petitioner, who was giving tuition to his 12 years old daughter, has misbehaved with her and threatened her of making viral a video clip taken of the girl while she was changing her cloth.

Petitioner's counsel submits that having no criminal antecedents he has falsely been implicated in this case. The dispute regarding some dues (tuition fee) has led to the petitioner's implication. He is a meritorious student and has



recently competed for service in the Railways. He continues to be in custody from the date of his surrender from 22.09.2020. It is also submitted that in the investigation no material has come to support the allegation regarding the alleged recording as there is no video clip collected in the course of investigation.

The learned APP for the State has opposed the prayer for bail. However, not in a position to point out from the case diary regarding any video clip having been recovered in the course of investigation.

Considering the rival submissions, 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 the learned Additional District and Sessions Judge-1st-cum-Special Judge (POCSO) Patna, in connection with Mahila Thana PS Case No.88 of 2018, Spl. (POCSO) 143 of 2018, 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.

(Madhuresh Prasad, J)

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