

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.475 of 2021**

Arising Out of PS. Case No.-81 Year-2019 Thana- MAHILA P.S. District- Araria

Jitendra Sharma Son of Umanand Sharma Resident of Village - Kusiya
Gawan Ward No. 12, P.S. and District - Araria

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anil Prasad Singh, Adv.
For the Respondent/s : Spl.P.P.

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 02-02-2021 Heard learned counsel for the appellant and learned
Spl.P.P. for the State through video conferencing.

The appellant has renewed his prayer for bail in connection with Special POCSO Case no.38 of 2019 arising out of Araria (Mahila) P.S. Case No.81 of 2019 registered under sections 376 and 324 of the Indian Penal Code, section 3(2)(v) of the SC and ST (Prevention of Atrocities) Act and section 4 of the POCSO Act.

At the outset it is submitted by learned counsel for the appellant that the earlier application for bail of the appellant was rejected vide order dated 22.5.2020 (Annexure-1) passed in Cr. Appeal no.5495 of 2019 (SJ) giving liberty to the appellant to renew his prayer for bail after completing one year in custody. It is further submitted that the appellant being in custody since



24.7.2019 has remained in jail for 1 year and 6 months.

The application for bail is opposed by learned Spl.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the observations given by order dated 22.5.2020 and the appellant having remained in custody since 24.7.2019, this Court is inclined to enlarge the appellant on bail. The appellant is directed to be enlarged on bail in connection with Special POCSO Case no.38 of 2019 arising out of Araria (Mahila) P.S. Case No.81 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (POCSO), Araria.

(Partha Sarthy, J)

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