

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6624 of 2021

Arising Out of PS. Case No.-108 Year-2020 Thana- BIHARIGANJ District- Madhepura

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Sanjeev Kumar S/o Vishundev Mehta Resident of Village- Rahta Chaumukh
Ward No. 7, Police Station- Bihariganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 28-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with POCSO P.S. Case no.15 of 2020 arising out of Bihariganj P.S. Case no.108 of 2020 registered under sections 376, 302 and 34 of the Indian Penal Code and section 4 of the POCSO Act.

As per allegation in the F.I.R., on the minor daughter of the informant not returning home, search started but she was not to be found. It is further stated that Subodh Mehta came and informed that her dead body was lying in the agriculture field of Dinesh Mehta. It is stated that on seeing her, it appeared that she



had been ravished. It is further stated that 20-25 days ago, Subodh Mehta had threatened her. Further, he owed a sum of Rs.14,000/- to the informant.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the F.I.R. His name transpires in course of the investigation when some of the witnesses are stated to have said in their statement under section 161 Cr.P.C. that they had seen Subodh Mehta along with the petitioner. Both of them used to take 'ganja' together and at the relevant time appeared nervous. They did not come on hearing about the dead body being discovered. It is submitted that there is no eye witness to the occurrence. The petitioner is in custody since 12.5.2020 and has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody for more than 1 year, the petitioner is directed to be enlarged on bail in connection with POCSO P.S. Case no.15 of 2020 arising out of Bihariganj P.S. Case no.108 of 2020 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 Additional
Sessions Judge VI-cum-Special Judge, POCSO, Madhepura.

(Partha Sarthy, J)

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