

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4541 of 2022

Arising Out of PS. Case No.-332 Year-2021 Thana- BAJPATTI District- Sitamarhi

Satvir Sah Son of Ram Janam Sah R/O Village- Bhalni Madan, P.S.- Bajpatti,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 09-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period of

four weeks from today.

The petitioner seeks bail in connection with Bajpatti P.S.

Case No. 332 of 2021 registered for the offence under Sections 341,

354(B), 354(D), (i)/34 of the I.P.C. and 08 of the POCSO Act.

The accused/petitioner is named in the F.I.R. and is in

custody since 23.11.2021.

The allegation against the petitioner is to outrage the

modesty of informant, who is minor, along with other co-accused

persons.

Learned counsel appearing on behalf of the petitioner

submitted that the specific allegation is against co-accused persons,

namely, Kundan Jha and Monu Jha, where, this petitioner was only



Pillion-rider without attributing any overt act, as per F.I.R. It is further submitted that the allegation against this petitioner is very much general and omnibus. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail but fairly conceded that allegation regarding outraging modesty is against co-accused Monu Jha, as per F.I.R.

Considering the facts and circumstances as mentioned above, as nature of allegation against this petitioner is very much general and omnibus, who is a man of clean antecedent coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bajpatti P.S. Case No. 332 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge VI-cum-Special Judge (POCSO) Act, Sitamarhi/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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