

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15279 of 2022

Arising Out of PS. Case No.-217 Year-2021 Thana- Sohsarai District- Nalanda

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Bali Kumar Tanti Son of Nandu Tanti Resident of Village - Talabpar Asha
Nagar, P.S.- Sohsarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Adv.

For the Opposite Party/s : Mr. Binay Krishna, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 16-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sohsarai P.S. Case No. 217 of 2021 lodged under Sections
354(A), 354(B), 354(C) I.P.C. read with Section 14 POCSO Act
and Section 67(B) I.T. Act and Section 3(i)(r)(s) SC/ST Act.

As per the prosecution case, the petitioner has
prepared the video of the informant and prepared semi-naked
photograph and make it viral.

Learned counsel for the petitioner submits that the
petitioner's family has given Rs. 2,00,000/- to the informant's
family which they were not ready to return and upon demand

they have filed the present case.

On merit he submits that case has been filed that F.I.R. has been lodged under the provisions of Indian Penal Code POCSO Act, SC/ST Act and I.T. Act but charge sheet has been filed only under the provisions of Indian Penal Code and Information Technology Act. He further submits that upon medical the age of the girl was ascertained 18-19 years.

He further submits that petitioner has clean antecedent, charge sheet has already been filed in this case and he is in custody since 12.11.2021. His antecedent is clean.

Learned counsel for the State opposes the prayer for bail but also submits that it is true that charge sheet has been filed under I.P.C. and I.T. Act only.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned 7th Addl. Sessions Judge -Cum- Special POCSO Court, Biharsharif, Nalanda in connection with Sohsarai P.S. Case No. 217 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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