

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18025 of 2022

Arising Out of PS. Case No.-267 Year-2021 Thana- BACHHWARA District- Begusarai

Suresh Sah Son of Rameshwar Sah Resident of village - Bachhwara Tara,
P.S.- Bachhwara, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP.

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
Bachhwara P.S. Case No. 267 of 2021 lodged under Sections
354(A), 354 (B) of the Indian Penal Code read with Section 12 of
POCSO Act.

The allegation against the petitioner is that he had tried
to outrage the modesty of the victim. The allegation of sexual
harassment and use of criminal force to the victim with intend to
dis-rogue is there in the F.I.R.

Learned counsel for the petitioner submits that this
case is a false case. In the F.I.R. itself it is there that both are
neighbourer and there is an old enmity due to land was in
existence. He further submits that Section 12 of POCSO Act is

added in this case in which one year punishment is there. He further submits that both the sections in which case is filed, are magisterial triable. He further submits that petitioner is in custody since 25.02.2022, chargesheet has already been submitted and his antecedent is clean.

Learned counsel for the State Opposes the prayer for bail and submits that if the allegation shall be proved, the petitioner shall be entitled for minimum punishment of 3 years. He further submits that there are two witnesses of this event, one victim herself and another is her sister and her younger brother who has fully supported the contention made with regard to victim in the F.I.R.

In the present facts and circumstances and the submissions made above, I am not inclined to grant bail to the petitioner at present, but the trial court is directed to release him on bail only after framing of charge in this case after imposing such conditions so that he shall support in the trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

ritik/-

U		T	
---	--	---	--