

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20191 of 2022

Arising Out of PS. Case No.-54 Year-2021 Thana- MAHILA P.S. District- Kaimur (Bhabua)

MITHUL TIWARY @ MITHILESH TIWARY Son of Uday Tiwary Resident
of village - Sahuka, P.S.- Ramgarh, District - Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-07-2022

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 354, 509, 323, 341/34 of the
Indian Penal Code and Section 8 of the POCSO Act.

Allegation against the petitioner is to have tried to
outraged the modesty of the informant by taking her away in
the field but on raising alarm, one Tibal Kumar saved her.
Further allegation against the petitioner is that he used to abuse
and threaten the family member of the informant.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case. It is
further submitted that incident is allegedly said to have taken
place on 03.09.2021 but FIR was instituted after delay of eight
days on 11.09.2021 without any valid explanation. Petitioner

has no criminal antecedent and he is in custody since 18.01.2022.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Bhabua Mahila P.S. Case No. 54 of 2021, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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