

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26113 of 2022

Arising Out of PS. Case No.-194 Year-2021 Thana- MUSAHARI District- Muzaffarpur

Ranjan Sahani Son of Chandeshar Sahni Resident of village - Bedauliya, P.S.-
Mushhari, District - Muzaffarpur, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate
For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 354(B) of the
Indian Penal Code and Section 12 of the POCSO Act in
connection with Mushhari P.S. Case No. 194 of 2021.

As per the allegation, the informant has alleged that
on the fateful day, her daughter along with her friends had gone
to the field to fetch soil, it is alleged that the petitioner herein
started acting indecently with her. However, her two friends
caught hold of the petitioner and brought to the police station
whereafter he was arrested.

Learned counsel for the petitioner submits that for the



said alleged act he has suffered by being in jail since 27.10.2021 (as stated in para-10 of the bail application) despite the fact that he has no criminal antecedent.

Learned counsel for the petitioner has produced the certified copy of the statement made by the victim girl before the trial court in which she has narrated that there was no such misbehaviour on the part of the petitioner.

Let the same be kept on record.

Taking into account the aforesaid allegations as also the fact that the charge-sheet stands submitted and the petitioner is in custody since 27.10.2021 and has no criminal antecedent, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned 6th Additional Sessions Judge-cum-Spl.Judge, POCSO-I, Muzaffarpur, Bihar, in connection with Mushahri P.S. Case No. 194 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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