

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34711 of 2021

Arising Out of PS. Case No.-17 Year-2021 Thana- MAHILA PS District- Buxar

MANU GOND Son of Jiten Gond Resident of Village - Dhanha, P.S.- Simari,
Dist.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kr. Pandey
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 10-01-2022 The matter has been taken up today for
consideration through video conferencing.

Heard learned counsel for the petitioner and
learned APP for the State.

This Court would expect that the petitioner's
counsel would honour his undertaking in the instant proceedings
regarding supply of requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with POCSO
Case No. 12/2021 arising out of Buxar (Mahila) P.S. Case No.
17 of 2021 registered under Sections 354B and 506 of the
Indian Penal Code and Sections 8/12 of POCSO Act, 2012.

There is an allegation that the petitioner has tried to
disrobe the informant (victim).



The petitioner's counsel submits that even as per allegation, it is just a failed attempt. He submits that the victim's family was repeatedly misusing the lands which the petitioner had taken on rental basis for farming and in order to pre-empt the informant's family from destroying the crop, he had been raising objection; and in retaliation thereof the police case has been lodged. The petitioner is stated to be in custody since 16.03.2020 and has no criminal antecedents. It is submitted that the allegations are palpably false and fabricated and based on the subsisting dispute between the parties regarding the lands in question.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-VI-cum-Spl. POCSO, Buxar in POCSO Case No. 12/2021 arising out of Buxar (Mahila) P.S. Case No. 17 of 2021, subject to the following



conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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