

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35947 of 2022

Arising Out of PS. Case No.-126 Year-2021 Thana- ISHAKCHAK District- Bhagalpur

Raj Kumar Mandal Son Of Ganesh Mandal Resident Of Shyamal Das Lane,
Ishakchak, Near Middle School, P.S.- Ishakchak, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 20-09-2022 Let the defect(s), 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
POCSO Case No. 129 of 2021 +(97/2021) arising out of
Ishakchak P.S. Case No. 126 of 2021 lodged under Sections
341/323/324/504/509/354B/34 of the I.P.C. read with Section 4
of the POCSO Act.

As per the prosecution case, the informant along with
her sister went to the owner of G.M. Store where the petitioner
and his brother were sitting. They requested to return the
purchased item from his shop which they refused to return and
alleged to use abusive language and touch their body with bad

intention.

Learned counsel for the petitioner submits that it is a false case filed by the informant. He further submits that charge has been framed in this case and prosecution witness have examined which is Annexure-2 series. On the basis of evidence adduced, no offence under POCSO Act has been made out. He further submits that petitioner is in custody since 21.12.2021. He further submits that there was one case filed against him which was ended before Lok Adalat. He further submits that the other co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 22.04.2022 passed in Cr. Misc. No. 68941 of 2021.

Learned counsel for the State opposes the prayer for bail.

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 Exclusive Special Judge, POSCO Act cum Addl. District and Sessions Judge, VI, Bhagalpur in connection with POSCO Case No. 129 of 2021 +(97/2021) arising out of Ishakchak P.S. Case No. 126 of 2021, subject to

the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J)

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