

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38585 of 2022

Arising Out of PS. Case No.-385 Year-2022 Thana- MUFFASIL District- West Champaran

Sahil Ansari Son of Rustam Ansari Resident of village- Guruwaliya, P.s.-
Bettiah Muffasil (Manuapul), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-11-2022 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
Bettiah Muffasil (Manuapul) P.S. Case No. 385 of 2022, lodged
under Section 306 of the Indian Penal Code read with Section
17 of the Protection of Children from Sexual Offences Act,
2012.

As per prosecution case, the allegation against the
petitioner made by the informant is that, due to the fraudulent
behavior of the petitioner, her daughter has closed the door and
committed suicide.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. He further submits that charge sheet has already been filed in this case, petitioner is in custody since 19.05.2022 and antecedent of petitioner is clean. He further submits that allegation of fraud against the petitioner is wrong and there is only suspicion made by the informant. He further submits that Section 17 of POCSO Act is not applicable in the present case.

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 Additional Sessions Judge-VI-cum-the Special Judge, under POCSO Act, West Champaran at Bettiah in connection with Bettiah Muffasil (Manuapul) P.S. Case No. 385 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of

his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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