

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51549 of 2021**

Arising Out of PS. Case No.-15 Year-2021 Thana- DEWARIA District- Muzaffarpur

Pintu Kumar S/O Shankar Sah R/O Village-Deoriya Kharwar Tola, P.S.-
DEORIYA, District- Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 07-02-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in connection with Deoriya
P. S. Case No.15 of 2021, instituted for the offences under
Sections 341, 323, 380, 354(b), 302, 504/ 34 of the Indian Penal
Code and 4/ 12 of the POCSO Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 04.02.2021, he is a person with
clean antecedent and charge-sheet has been submitted in the
case.

The learned counsel for the petitioner submits that the
informant alleges that the informant and her daughters were
sleeping in the house when Pintu Kumar (petitioner) came in the
house in night at 1.00 A.M. and pulled the blankets from her



daughters. Accordingly, one of the daughters woke up and the petitioner fled. Thereafter, it is alleged that the informant with her daughters went to the house of the petitioner to complain where they were abused and assaulted by fists and slaps on account of which her daughter sustained serious injury. Accordingly, she was taken to Sagar hospital where the doctor advised the informant to take her to Muzaffarpur for treatment. It is alleged that the daughter died on way to home from Sagar hospital.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case as in the post mortem report, no injury was found on the body of the deceased and the viscera was preserved. Further the police after investigation submitted charge-sheet under Sections 458, 354(b), 504 and 506 of the I.P.C. and co-accused Shankar Sah has been granted bail by order dated 03.02.2021 in Cr. Misc. No.51148 of 2021.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in the case and no injury was found on the body of



the deceased and co-accused has been granted bail, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge, POCSO, Muzaffarpur in connection with Deoriya P. S. Case No.15 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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