

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 68941 of 2021

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

Hira Singh @ Hira Prasad Mandal@Hira Singh Mandal @ Hira Prasad Singh
@ Hira Mandal Son of Ganesh Mandal Resident of Village - Shyamal Das
Lane, Ishakchak, Near Middle School, P.S.- Ishakchak, Distt.- Bhagalpur.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha
For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 324, 504, 506, 509, 354(B) and 34 of the Indian Penal Code read with Section 4 of the POCSO Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 13.09.2021, is a person with two criminal antecedents and charge-sheet has been submitted in the case.

Learned counsel for the petitioner further submits that the informant alleges that she along with her younger sister had gone to a shop to return some article, where the petitioner along with Raj Kumar misbehaved and molested them and the petitioner touched her inappropriately and even scratched her by



his nails on neck, face and hand.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. The dispute was with respect to returning of a pen which the informant had not purchased from the shop of the petitioner. It is also submitted that the informant in the trial has not supported the prosecution case before the POCSO Court, as would be evident from Annexure 2 to the supplementary affidavit.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case and the informant along with the victim has not supported the prosecution case in the trial, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ishakchak P.S. Case No. 126 of 2021.

(Satyavrat Verma, J)

Gaurav Kumar/-

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