

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8594 of 2023

Arising Out of PS. Case No.-547 Year-2022 Thana- FORBESGANJ District- Araria

ASHOK KUMAR JHA S/o Late Tirthanand Jha R/o Village- Jay Nagar, P.S.-
Bhargama, Distt- Araria, Bihar. At present, R/o - Ward no. 25, P.S.-
Forbesganj, Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikas Kumar Jha

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 354, 354(A), 354(D) of the Indian Penal Code and Sections 8/11 of the POCSO Act.

As per prosecution case, allegation against the petitioner is of misbehaving and outraging the modesty of victims who are children of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is further submitted vide para-12 of the petition that both children of the informant came in hostel in 16.4.2022 and only after passing of two days, the maid and warden of the hostel complained about their behaviour and in this regard, the petitioner informed the



mother of the children on assurance that it would not happen again. But there was no changes in their behaviour due to which the petitioner expelled the children from hostel and informed their father through a later dated 20.5.2022, due to this reason hot talk arose between the petitioner and the informant and he has falsely been made accused in the present case. The petitioner has got criminal antecedent and languishing in judicial custody since 9.12.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Forbesganj P.S. Case No. 547 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- VI-cum-Special Judge (POCSO), Araria.

(Sunil Kumar Panwar, J)

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