

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12730 of 2022

Arising Out of PS. Case No.-911 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Sujit Thakur @ DHINGA Son Of Kishundeo Thakur Resident Of Village -
Akilabad, P.S. - Sadar Hajipur, District - Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 06-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Hajipur Sadar P.S. Case No. 911 of 2021 registered under Sections 341, 354B, 376, 511, 506 of the Indian Penal Code and Sections 78, 11(iv)/12 of the POCSO Act.

Prosecution case relates to outrage the modesty of the handicapped daughter of the informant by the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this present case due to previous dispute in respect of business. It is further submitted that the statement of victim was not recorded under Section 164 of Cr.P.C. It is further submitted that a report with regard to the



present stage of trial has been called for from the trial Court, but the case is fixed for prosecution evidence. Further, it is submitted that F.I.R. has been lodged four days delay from the date of occurrence and there is no physical wrong committed by the petitioner with the victim. A statement has been made in para-3 of this petition that petitioner has got no criminal antecedent. He is languishing in judicial custody since 26.11.2021.

The application for bail is vehemently opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the fact and circumstances of the case and custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Hajipur Sadar P.S. Case No. 911 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Court POCSO-cum-A.D.J.-VI, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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