

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53366 of 2022

Arising Out of PS. Case No.-102 Year-2022 Thana- TELHARA District- Nalanda

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Filendra Mistry Son Of Late Sahdeo Mistry R/O Village- Daniyawan, P.S.-
Telhara, Dist.- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 21-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with POCSO Case No. 75 of 2022, arising out of Telhara P.S. Case No. 102 of 2022 registered for the offences punishable under Sections 376 of the Indian Penal Code, 3/4 of Dowry Prohibition Act and Section 4/6 of POCSO Act.

As per the prosecution, the informant(victim) alleged that this petitioner's son namely, Rohit Kumar established physical relationship with her and thereafter married her, but



after sometime he started asking for dowry and the victim's in-laws are not ready to keep her with them.

The main submissions advanced by learned counsel Mr. Uma Shankar Prasad Singh, appearing for the petitioner are that as per the FIR the main allegation of establishing physical relation with the victim is against the son of this petitioner and the informant accepted in her statement recorded under Section 164 Cr.P.C. that she married the son of this petitioner according to her own sweet will and the same fact is also evident from the FIR and the petitioner has been languishing in jail since 05.07.2022 and the alleged offences of the FIR do not attract against the petitioner.

Learned APP Mr. Satya Nand Shukla, has opposed the prayer for bail.

In view of the facts, as stated above and mainly considering the facts that the petitioner is stated to be the father of the main accused and has been languishing in jail since 05.07.2022, in my view, he deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with POCSO Case No. 75 of



2022, arising out of Telhara P.S. Case No. 102 of 2022.

(Shailendra Singh, J.)

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