

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58088 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- MAHILA P.S. District- Saharsa

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Dhaneshwar Ram S/O Rameshwar Ram Resident of village- Hakpara Ward
No- 14 P.S.- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 21-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Special POCSO Case No. 41 of 2022 arising out of Mahila P.S.
Case No. 22 of 2022 lodged under Sections 341, 376, 504, 506,
509, 34 & 493 of the I.P.C. read with Sections 4 & 6 of POCSO
Act.

As per the prosecution case, informant has alleged in
the F.I.R. that his daughter was reading in Class X and used to
visit coaching institute. The Director of the coaching institute
was one Ravinder Kumar Ram, who by way of enticing her to
make her topper in class, developed physical relation since last

6 months and prepared video. It has been further alleged that the said Ravinder Kumar Ram started blackmailing her. The informant stated that initially he has talked in this regard with the father of the accused Ravinder Kumar Ram and his uncle Dhaneshwar Ram (petitioner) but they have not taken any action and told that Ravinder Kumar Ram has done correct thing. Thereafter, the informant's family reached to the mother of the accused Ravinder Kumar Ram, who also started abusing. Thereafter, the present criminal case has been filed against them.

Learned counsel for the petitioner submits that from the contents of the F.I.R., it transpires that the real culprit is Ravinder Kumar Ram and the entire crime has been done by him alone. The specific allegation against the present petitioner is that he has not interfered/entertained the complaint of the informant. Counsel for the petitioner submits that it is a specific stand of the petitioner that he is living separately from the business of his brother, namely, Kusheshwar Ram and he has no concern with his relative member Ravinder Kumar Ram in any way. Counsel submits that petitioner is in custody since 19.04.2022 having clean antecedent.

Learned counsel for the State opposes the prayer for

bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. IVth cum Exclusive Special Court POCSO, Saharsa in connection with Special POCSO Case No. 41 of 2022 arising out of Saharsa Mahila P.S. Case No. 22 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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