

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63610 of 2023

Arising Out of PS. Case No.-125 Year-2022 Thana- JHANJHARPUR District- Madhubani

BHARAT JHA @ BHARAT KUMAR JHA son of Navkant Jha Village-
Shahpur Ps- Pandaul Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash
For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 376, 313, 315, 420,
120B and 34 of the Indian Penal Code and Sections 4/6 of the
POCSO Act.

3. The prosecution story, in brief, is that the accused
persons named in the F.I.R. after committing wrong with the
informant had forced her to abort fetus.

4. It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that on the alleged date of occurrence petitioner was not present in Jhanjharpur. Petitioner is neither the owner nor the Manager of the Nursing Home and not the doctor, he is only staff where the sister of the informant also working as Nurse. He humbly and respectfully submitted that if the allegations is true as per F.I.R. then Manager of the Nursing home not treated and do anything and the Manager work is only to maintain the system of the Nursing home. There is no specific overt act against the petitioner. Further, it is submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 15.05.2023 passed in Cr. Misc. No. 62381 of 2022. He is languishing in judicial custody since 12.07.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned Additional District Judge-VII-cum-Special Judge (POCSO Court), Madhubani in connection with Jhanjharpur P.S. Case No. 125 of 2022.

(Sunil Kumar Panwar, J)

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