

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69729 of 2023**

Arising Out of PS. Case No.-552 Year-2023 Thana- NAGAR District- Vaishali

Sonu Sharma @ Sonu Kumar, Son of Santosh Sharma @ Navin Kumar, R/o  
village - Bintouli Sanchi, P.S. - Hajipur Town, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      06-11-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Hajipur Town P.S. Case No. 552 of 2023, registered for the alleged offences under Sections 341, 323, 324, 354/34 of the Indian Penal Code and Sections 8/12 of the POCSO Act.

3. As per prosecution case, the informant, a minor girl, named the petitioner and other co-accused persons, who used to make obscene talk on seeing her and on the date of occurrence, they tried to forcibly grab her with intention of kidnapping. On alarm being raised, a neighbour of the informant came for her rescue and the co-accused Deepak Kumar gave a knife blow to the informant which the neighbour Md. Masum



shielded from his hands and he received injuries.

4. The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. The occurrence took place on 16.07.2023, but the FIR was lodged on 17.07.2023. There is no specific allegation against the petitioner and the allegations are mostly general and omnibus with other co-accused persons. The specific allegations are against the co-accused Deepak Kumar. The father of the petitioner run a juice shop near the shop of the informant's aunt and due to business rivalry, this false case has been lodged implicating the petitioner. There is no material to show that the petitioner has made obscene talk or he tried to molest the informant. Even brother of the petitioner has been implicated in this case which shows afterthought. The petitioner is in custody since 15.06.2023 and the charge sheet has been submitted.

5. Learned APP opposes the submissions made on behalf of the petitioner.

6. Having regard to the submissions made hereinabove and considering the fact that there is no specific allegation of either molestation or assault against this petitioner for which allegation is specific against the co-accused and further considering the submission of charge sheet along with



period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Court of learned Additional Sessions Judge VI-cum-Special Judge (POCSO), Vaishali at Hajipur, in connection with Hajipur Town P.S. Case No. 552 of 2023, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

**(Arun Kumar Jha, J)**

