

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56177 of 2024

Arising Out of PS. Case No.-91 Year-2024 Thana- SALAKHUA District- Saharsa

Md. Istiyak @ Sanno Son of Md. Afak R/o Village- Puraini, P.S.- Salakhua,
District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Fucho Sada S/o Late Bhumeswar Sada R/o Village- Puraini ward No.1,
P.S.- Salakhua, District- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra

For the Opposite Party/s : Ms.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail
in connection with Salakhua P.S. Case No. 91 of 2024,
registered for the offences punishable under Sections 341, 323,
324, 354, 504, 506, 34 of the IPC and section 3(i)(r)(s)(w), 3(2)
(va) of the SC/ST Act and section 8, 12 of the POCSO Act.

3. The earlier Criminal Appeal (SJ) filed by the
appellant was dismissed as withdrawn.

4. As per allegation, when the daughter of the
informant along with three girls was returning to her home, in
the way, the petitioner abused her by calling her caste name and



started misbehaving with her. On protest raised by the daughter of the informant, the petitioner beat her, as a result of which blood was oozing out of her mouth.

5. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As a matter of fact, when the daughter of the informant along with other three girls was cutting the wheat crop, belonging to the petitioner and when the members of defense side prohibited, the family members of the informant badly assaulted them for which one of the co-accused lodged Salakhua P.S. Case No. 94 of 2024 dated 28.03.2024. He has submitted further that having seen the petitioner and co-accused coming, the three girls begin to flee away from their field and the daughter of the informant fell down and suffered some injuries. There is case and counter case. The petitioner is a person of clean antecedent and he is under custody since 26.03.2024.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned A.D.J. VI cum Special Judge, POCSO, Saharsa in connection with



Salakhua P.S. Case No. 91 of 2024, subject to the following condition:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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