

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57021 of 2024

Arising Out of PS. Case No.-225 Year-2024 Thana- BYPASS District- Patna

SUMAN KUMAR BANTI SON OF NANDU PASWAN RESIDENT OF
VILLAGE - HARAUL, P.S. - NOORSARAI, DISTRICT - NALANDA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. BIBHA DEVI W/O SHIV PUJAN PERMANENT ADDRESS - VILLAGE-
NETAR, P.S.- DANİYAWA, DIST- PATNA AT PRESENT - TENT CITY
ROAD IN HOUSE OF JAWALA JI, P.S.- BYPASS, DIST- PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nityanand Kumar, Advocate
For the State	:	Mr. Binod Kumar, A.P.P.
For the Informant	:	Mr. Khalid Faizan, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 26-10-2024 Heard learned Counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bypass P.S. Case No. 225 of 2024 (Spl. (POCSO) Case No. 143 of 2024), registered for the alleged offences under Sections 354(a), 504 and 34 of the Indian Penal Code and Section 8 of POCSO Act.

3. As per prosecution case, while informant had gone to the petitioner's clinic for her treatment, the minor daughter of the informant was sexually assaulted by the petitioner.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. Some misunderstanding took place between the informant and the petitioner and this false case has been lodged. However, with the intervention of common friend and well wishers, both parties have compromised the case outside the Court. A compromise petition has been filed in the learned Trial Court. No occurrence as alleged has ever taken place but in order to extract revenge, the informant has lodged this false case. The petitioner is in custody since 04.06.2024 and charge-sheet has been submitted as also he has clean antecedent.

5. The learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Learned Counsel for the Informant admits the factum of compromise.

7. Having regard to the facts and circumstances and submissions made hereinabove and considering his clean antecedent, submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-VII cum Special Judge POCSO, Patna, in connection with Bypass P.S. Case No. 225 of 2024 [Spl. (POCSO) Case No. 143 of 2024], subject to the conditions mentioned in Section



437 (3) of the Code of Criminal Procedure and also 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 on 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.

(Arun Kumar Jha, J)

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