

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63024 of 2024

Arising Out of PS. Case No.-261 Year-2023 Thana- SONBERSHA RAJ District- Saharsa

Mithun Sada Son of Asin Sada R/O Vill.- Maura, Ward no. 8, (Tola Pipra Musahari), P.S.- Sonbarsa Raj, (Kashnagar O.P.), Dist.- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
 2. Ashok Sada Son of Late Rameshwar Sada R/O Vill.- Maura, Ward no. 8, (Tola Pipra Musahari), P.S.- Sonbarsa Raj, (Kashnagar O.P.), Dist.- Saharsa.
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Ram Sumiran Rai

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

ORAL ORDER

2 10-09-2024 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 Sonbarsa Raj (Kashnagar O.P.) P.S. Case No. 261 of 2023, registered for the offences punishable under Sections 341, 323, 354(B), 379, 504, 506/34 of the IPC and sections 6, 8 of POCSO Act.

3. As per allegation, when the informant's daughter was going to her grandmother's house, in the way, the petitioner, found her alone, started molesting her. Further, when the informant went to the house of petitioner to inquire about the matter, the petitioner along with other co-accused persons started abusing and assaulting him. When the informant's brother came to rescue him, he was also assaulted with *lathi* and *danda*.

4. The learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. He is a person of clean antecedent. He has submitted further that there is case and counter case and the members of defense side have also suffered injuries. The petitioner is under custody since 06.07.2023.

5. Considering the above-mentioned facts and circumstances as well as clean antecedent and the prolonged incarceration of fourteen months, 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 Additional District and Sessions Judge-VI-cum-Exclusive Special Judge, POCSO, Saharsa in connection with Sonbarsa Raj (Kashnagar O.P.) P.S. Case No. 261 of 2023, 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.

(ii) The petitioner shall remain present physically before the court below on each and every date till framing of the charges.

(Nawneet Kumar Pandey, J)

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