

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77253 of 2023

Arising Out of PS. Case No.-81 Year-2023 Thana- HABIBPUR District- Bhagalpur

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Ashok Mandal Son Of Late Bhola Mandal Village- Habibpur Shivji Nagar Ps-
Habibpur Dist- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Harsh Singh

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-02-2024 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 Section 8 of the POCSO Act.

3. The allegation against the petitioner is of outraging
the modesty to the minor daughter of the informant.

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 there is a long standing
civil dispute between the families of the petitioner and that of
the informant and for which in the year 2018 itself, a case was
instituted by Kiran Devi, the mother-in-law of the informant
against the petitioner and his family members in the Gram
Kachahari for which a notice was also issued to the petitioner.



The statement of the victim girl has been recorded under Section 164 of the Cr.P.C., in which she stated that this petitioner was tried to commit wrong with her. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 16.06.2023.

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, petitioner being an old age person 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 Exclusive Spl. Judge (POCSO)-cum-ADJ-VI, Bhagalpur in connection with Habibpur P.S. Case No. 81 of 2023.

(Sunil Kumar Panwar, J)

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