

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27771 of 2020

Arising Out of PS. Case No.-1 Year-2020 Thana- AGIAON BAZAR District- Bhojpur

Santan Panday, Male, Age about 30 years, Son of Balmeshwar Panday,
Resident of Village - Lahthan, Police Station - Angiaon Bazar, District -
Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta

For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 23-12-2020 Heard Mr. Shiv Prasad Gupta, learned counsel for the

petitioner and Mr. Ram Sevak Choudhary, learned counsel

appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Angiaon Bazar (Angion Bazar) P.S. Case No. 01 of 2020,
Excise Case No. 20 of 2020, POCSO Case No. 08 of 2020
registered for the offence under Section 377 of the I.P.C. and
Section 37 (C) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

The allegation as per the First Information Report is
that on 02.01.2020 at about 7:00 P.M. the son of the informant
was taken by the petitioner to a nearby canal and the petitioner
tried to commit unnatural offence with the son of the informant



in a drunken condition.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and has been dragged in this case due to some personal enmity between the parties. Learned counsel further submits that from perusal of the First Information Report it would be evident that the petitioner only tried to commit unnatural offence upon the son of the informant in a drunken condition and there is no material to show that unnatural offence was committed upon the victim boy. Learned counsel further submits that the petitioner is in custody since 03.01.2020.

On the other hand , learned counsel for the State referring to the case diary submits that upon investigation and medical examination it has come to light that the petitioner was under the influence of liquor.

Having regard to the submission made by the parties and taking into consideration the materials available on record , the fact that the petitioner is in custody since 03.01.2020 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/-



(ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge Bhojpur at Ara / court concerned in connection with Angiaon Bazar (Angion Bazar) P.S. Case No. 01 of 2020 , Excise Case No. 20 of 2020 and POCSO Case No. 08 of 2020.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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