

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15722 of 2015

Arising out of PS.Case No. -53 Year- 2015 Thana -MUFFASIL District- WEST
CHAMPARAN(BETTIAH)

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Mukesh Kumar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party : Mr. Ajay Kumar No.2(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-06-2015 The petitioner is languishing in custody since 30.01.2015 in connection with Bettiah Muffasil P.S. Case No. 53 of 2015 for the offences instituted under Sections 8 and 10 of The Protection of Children from Sexual Offences Act, 2012.

Heard learned counsel for the petitioner and learned counsel for the State.

The prosecution story, in brief, is that on 30.01.2015 at about 9.00 A.M., his sister Moni Kumari aged about 7 years, a student of Nursery Class, went as usual to her School, namely, Ramawati Shashi Gyan Bharti, Haribatika Chowk, Bettiah, and about 11.00 A.M. she went to bathroom after seeking permission, just behind the School, and when she came out from the bathroom, the petitioner aged about 25 years was taking her with him assaulting her with illicit intention, and on alarm raised by passers

by, he started fleeing away, but he was apprehended, and the police was telephonically informed, and on arrival of police, he was handed over to the police.

It has been submitted on behalf of the petitioner that due to mistake of fact, the petitioner is made accused in the present case. Further it has been submitted that the matter has been compromised between the parties and the said compromise petition is Annexure-2 to the present application. It is further submitted that the petitioner has got no criminal antecedent and he is in custody since 30.01.2015.

On behalf of the State, it has been submitted that the petitioner is directly involved in the present case and he is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned 1st Additional Sessions Judge-cum-Special Judge, West Champaran at Bettiah, in connection with Bettiah Muffasil P.S. Case No. 53 of 2015.

U.K./-

(Sudhir Singh, J)

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