

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43278 of 2015

Arising Out of PS.Case No. -445 Year- 2014 Thana -SAKRA District- MUZAFFARPUR

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Varun Kumar @ Barun Kumar, resident of village Madhurapur, Police Station- Goroul, District- Vaishali, at present village Majhauriya, Police Station- Sakra, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

3 11-12-2015

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner prays for anticipatory bail in a case registered under Sections 448, 341, 323 and 354 of the Indian Penal Code and Section 8 of the POCSO Act.

It is submitted by learned counsel for the petitioner that the petitioner was admittedly taking the tuition of the six year old daughter of the informant and he has been falsely implicated because his six months' tuition fees have not been paid by the informant, as a result of which there was an exchange of hot words between the petitioner and informant and on the false allegation, the present case has been lodged. It is also submitted by learned counsel for the petitioner that the police during the course of investigation did not find the case to be true so far as the provision of POCSO Act is concerned and similar is the view of the

supervising officer in his supervision note dated 10.10.2014.

Learned A.P.P. on the basis of the case diary submits that the submissions made by learned counsel for the petitioner are in accord with the findings recorded in the case diary, although some of the witnesses have supported the informant.

On a consideration of the facts and circumstances of the case, it is directed that the petitioner, Varun Kumar @ Barun Kumar in the event of his arrest/surrender in the court below within a period of four weeks from today, shall be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each in connection with Sakra P.S. Case No. 445 of 2014 to the satisfaction of the Ist Additional Sessions Judge-cum-Special Additional Sessions Judge, POCSO Act, Muzaffarpur, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

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