

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9539 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -MALI District- AURANGABAD

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Karu Chouhan @ Jitendra Chouhan Son of Shree Chouhan, Resident of
village - Maluka Bigha, P.S. Mali, District - Aurangabad

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. B.N. Pandey (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 01-03-2016 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is languishing in judicial custody since
30.01.2016 in connection with Mali P.S. Case No.05 of 2016 for
offences alleged under Sections 341, 323, 354 and 504 of the
Indian Penal Code and 8 POCSO Act.

The prosecution case is that the informant Guriya
Kumari stated that on 28.01.2016 at 11.00 A.M. while she was
sitting at the door of her house stitching cloth and while mother
and father had gone to the field for cultivation, at that time, the
petitioner caught her hand and wanted to take her to the house. On
objection, he abused and slapped her. She started shouting the
villagers assembled resultantly the petitioner fled away.



It has been submitted by the learned counsel for the petitioner that he is innocent, has committed no offence and the entire prosecution story has been fabricated because there is a civil dispute between the parties bearing Land Ceiling Case No.31 of 1991-92 and a counter version bearing Mali P.S. Case No.50 of 2015 in which the uncle of the petitioner has lodged F.I.R. against the uncle of the informant and other persons. It is further submitted that no overt act has been committed by the petitioner. It has also been submitted that the petitioner has no criminal history.

However, learned A.P.P. for the State submits that the petitioner is F.I.R. named accused and opposes the prayer for bail.

Be that as it may, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO Act, Aurangabad in connection with Mali P.S. Case No.05 of 2016.

(Nilu Agrawal, J)

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