

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3630 of 2016

Arising Out of PS.Case No. -397 Year- 2014 Thana -DARBHANGA SADAR District-
DARBHANGA

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1. Laltun Thakur Son of Late Bhullar Thakur resident of village - Sonaki,
P.S. Sadar, Distt. - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Advocate

For the Opposite Party/s : Mr. Ashok Kr.Singh No.1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 22-01-2016

Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Section
354A of the Indian Penal Code and 4/6 of the Protection of
Children from the Sexual Offences Act.

The prosecution case is that the informant went
to the shop of the petitioner for purchasing wooden fuel,
when this petitioner made an attempt to ravish her.

It is submitted by the learned counsel for the
petitioner that exact date of occurrence has not been given in
the First Information Report, but the First Information Report
was lodged after one and half month of the occurrence. On
conclusion of investigation, petitioner was not sent up for trial.

The Final Form has been brought on record as Annexure-3, but differing with the Final Form learned Magistrate has taken cognizance under Sections 354B of the Indian Penal Code and 4/6 of the Protection of Children from Sexual Offences Act. It is further submitted that petitioner is 75 years old. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the delayed lodging of the case and the petitioner being 75 years old, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, 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, (POSCO Act) in connection with Sadar (Sonaki O.P.) P.S. Case No. 397 of 2014, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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