

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25035 of 2016

Arising Out of PS.Case No. -43 Year- 2016 Thana -SIDHWARA District- DARBHANGA

=====

1. Barun Kumar Thakur @ Barun Thakur S/o Shri Jayant Thakur resident
of Village & P.O.- Kaligaon, P.S.- Singhwara, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bimal Kumar Jha

For the Opposite Party/s : Mr. Dasrath Mehta(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-06-2016

Petitioner is apprehending his arrest in a case registered for the offences punishable under Section 377 of the Indian Penal Code and Sections 3, 4, 6 of the Protection of Children From Sexual Offences Act, 2012.

The prosecution case is that the grand-son of the informant was playing at the door. After sometime the informant and his wife heard crying of his grand-son, whereupon they rushed to the spot and witnessed that petitioner was committing unnatural offence with his grand-son.

It is submitted by learned counsel for the petitioner that for a petty dispute maliciously the petitioner has been roped in the present case. The victim was examined at Darbhanga Medical College where it does not suggest any injury or any suspicious stains on the body or clothes worn by

the victim. The doctor has clearly opined after physical and radiological examination that no intercourse with the victim was done. It is further submitted that for the occurrence of 24.03.2016 at 5:00 P.M the F.I.R was registered on 25.03.2016 at 1:15 P.M.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the accusation not being corroborated with the medical opinion, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO, Darbhanga in connection with Singhwara P.S. Case No. 43 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--