

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52855 of 2018

Arising Out of PS. Case No.-285 Year-2017 Thana- RAJPUR District- Buxar

Kundan Kumar Singh Son of Kamla Singh @ Kamla Singh Yadav, resident of Village- Dadura, P.S. Rajpur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh

For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 06-10-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 448/341/323/354(B)/379/34 of the Indian Penal Code.

Petitioner is said to have entered into the house of the informant and caught hold hand of his cousin namely Sumitri Kumari and started to take her in dark place & on protest made by her, petitioner teased her lifting her in his lap. On alarm made by her, father and uncle of the informant who were watching TV in another room of the house rushed there and saved the victim.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. Petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case by the informant due to



some petty dispute as he happens to be neighbor of the informant. It is further submitted that admittedly father and uncle of the informant were watching TV in another room of the house and occurrence is of evening, so it is not possible to commit such occurrence and no one would dare to commit such occurrence entering into the house of the informant in such circumstances. Petitioner has no criminal antecedent. He has been languishing in custody since 26.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 A.D.J. 1st cum Special Judge POCSO Act, Buxar in connection with Rajpur P.S. Case No. 285 of 2017, POCSO Case No. 18 of 2018.

(Prakash Chandra Jaiswal, J)

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