

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65164 of 2018

Arising Out of PS. Case No.-121 Year-2018 Thana- MAHILA P.S. District- Patna

Suraj Kumar S/o Bhushan Thakur, Resident behind Digha Ghat Flour Mill,
P.S. Digha, Distt. Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sangeet Deokuliar Navin Kumar Singh Mithilesh Kumar
For the Opposite Party/s :		Mr. Binod Kumar 2

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 26-11-2018 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Special
(POCSO) Case No. 166 of 2018 arising out of Mahila (Patna) P.S.
Case No. 121 of 2018 instituted for the offences under Section(s)
354 A, 354C/34 of the Indian Penal Code and Sections 8 and 12 of
the POCSO Act.

Learned counsel for the petitioner has submitted that
victim has not been medically examined. There is general and
omnibus allegation levelled against this petitioner.

The informant has alleged that her minor grand
daughter had stated that when she went to house of Sarsawati
Devi this petitioner after closing her mouth tried to commit



illegal act with her. She somehow managed to flee away. It is further alleged that on 14.8.2018, co accused Bittu Choubey also tried to commit illegal act with her. Both the petitioner as well as Bittu Choubey are friends and they are alleged to follow the daughter of the informant for some oblique motive.

From the written report itself, it appears that informant is not an eye witness to the case. The victim girl has given her statement under Section 164 Cr. P.C. stating therein the similar allegation. The victim has not been medically examined to substantiate the aforesaid allegation.

The petitioner is in custody since 29.8.2018 having no criminal antecedent.

Considering the aforesaid, let the petitioner, above named, be released 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 1st Additional Sessions Judge cum Special Judge, POCSO Act, Patna in connection with Special (POCSO) Case No. 166 of 2018 arising out of Mahila (Patna) P.S. Case No. 121 of 2018, subject to the condition that both the bailers shall be the close relative of the petitioner.

(Sanjay Priya, J)

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