

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43052 of 2018

Arising Out of PS.Case No. -111 Year- 2018 Thana -BAJPATTI District- SITAMARHI

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Ram Kumar, S/o Sundeshwar Chaudhary, R/o Vill.- Madhuwan Goat, P.S.-
Bajpatti, District- Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Madhubala Verma, Advocate.

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 23-08-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 13.05.2018 in connection with Bajpatti P.S. Case No.111 of 2018 registered for the offence under Sections 354, 354A of the Indian Penal Code and Section 8 of the POCSO Act.

Learned counsel for the petitioner submits that the allegation against the petitioner is that he had forcibly tried to kiss the informant and on *hulla* being raised, he was caught at the place of occurrence itself. Learned counsel for the petitioner further submits that in her statement made under Section 164 Cr.P.C., the informant has made a clear volte-face story and has submitted that the present petitioner is innocent. He thus submits



that the petitioner is entitled to the privilege of bail.

Diary in the present case was called for, which has since been received.

Learned counsel appearing on behalf of the State after perusal of the case dairy submits that there is a clear contradiction in the statement made before the police and the statement under Section 164 of the Cr.P.C. and as totally a different story has been carved out in the statement made under Section 164 Cr.P.C, there is a clear cloud on the prosecution story.

In view of the aforementioned facts and circumstances and that the petitioner is having no criminal antecedent, let the petitioner, above named, be released on bail on his 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.-I-cum-Special Judge, (POCSO Act), Sitamarhi, in connection with Bajpatti P.S. Case No.111 of 2018.

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(Anjana Mishra, J)

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