

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63308 of 2018

Arising Out of PS. Case No.-120 Year-2018 Thana- MAHILA P.S. District- Patna

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Rahul Kumar Son of Binod Kumar, Resident of Village- Harnichak Colony,
Police Station- Beur, District- Patna. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Adv
For the Opposite Party/s : Smt. Madhuri Lata, APP

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CORAM: HON'BLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner apprehend his arrest in connection with Mahila P.S. Case No. 120 of 2018, registered under Sections 354, 506, 509/34 of the Indian Penal Code and Section 8 and 12 of the POCSO Act.

Petitioner is said to have taken kiss and pressed the breast of minor daughter of the informant when she had gone to his shop for purchasing of gift item.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. Victim wanted to purchase some articles from the shop of the petitioner on credit as usual, but petitioner denied and, thereafter, victim came back to her house and narrated the same to the informant. After the aforesaid incident, informant went away to Beur Police Station and returned to the shop of the petitioner alongwith A.K. Choudhary, Sub-Inspector of Beur Police Station, who chided the petitioner, his mother and his



elder brother. Thereafter, brother of the petitioner complained the matter On-line to the Beur Police Station on the same day (25.08.2018) at 8.00 P.M. about misbehaving and harassing by A.K. Choudhary. Mother of the petitioner had also informed the matter to the Zonal I.G. on 22.10.2018 for the said occurrence but no action was taken, and to save the skin from the aforesaid complain, Sub-inspector, A.K. Choudhary got the aforesaid case filed by the informant at 9.00 P.M. making false and frivolous allegation against the petitioner.

In the facts and circumstances of the case, 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 four weeks from today, 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-cum-1st Additional Sessions Judge, Patna in connection with Mahila P.S. Case No. 120 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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