

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20010 of 2019**

Arising Out of PS. Case No.-354 Year-2017 Thana- SAKRA District- Muzaffarpur

Manoj Thakur, Son of Jugeshwar Thakur R/O- Simri, P.S.- Sakra, District -
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratyush Kumar

For the Opposite Party/s : Mr.Md. Ataur Rahman

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 12-04-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 323, 341, 354, 376/511, 504 and 379 of the IPC and Section 4 of the Protection of Children from Sexual Offences Act.

The prosecution case got initiated by filing Complaint Case No. 09 of 2017 by Rakhi Kumari, which subsequently got registered as a police case, after the same being transferred under Section 156(3) of the Cr. P.C.

The prosecution case is that on 03.07.2017, the informant was going to the school, but on the way, the petitioner, Manoj Thakur surrounded her and took her to an orchard and made an attempt to ravish her and on alarm being raised, he escaped



from the scene.

It is submitted by learned counsel for the petitioner that for the alleged occurrence of 03.07.2017, the complaint was filed on 09.08.2017, which came to be registered as a police case on 22.09.2017. It is further submitted that the accusation is not being corroborated by any medical opinion and on conclusion of investigation, the petitioner was not sent up for trial, but differing with the final form, learned Magistrate took cognizance against the petitioner.

Learned APP submits that though, the final form was submitted against the petitioner, but differing with the final form, learned Magistrate took cognizance against the petitioner.

Considering the delayed lodging of the case, accusation not being corroborated by any medical opinion and on conclusion of investigation, the petitioner not being sent for trial, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ADJ-1-cum-Special Judge (POCSO), Muzaffarpur in connection with Sakra P.S. Case No. 354 of 20107, subject to the condition as



laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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