

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21020 of 2019**

Arising Out of PS. Case No.-13 Year-2019 Thana- MAHILA P.S. District- Patna

GANESH SINGH, S/o Uday Singh, Resident of Village- Bhattha, P.S.- Raja Pakar, District- Vaishali. At present Resident of Village- Sahganj Professor Colony, P.S.- Sultanganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raj Dular Sah, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2/ 04-04-2019 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in **Patna Mahila P.S. Case No.13 of 2019 (Special Case No.26 of 2019)** instituted for the offence under Section(s) 341, 342, 354-B Indian Penal Code and Section 8 of the POCSO Act.

Counsel for the petitioner submits that victim has given statement under Section 164 Cr.P.C., which is enclosed as Annexure-2, which is totally different from the allegation made in the written report.

In the written report, it is alleged that this petitioner took the daughter of the informant aged about 7 years to his house and opened her pant upon which she raised hulla. In the



statement recorded under Section 164 Cr.P.C. she has stated that petitioner took her in the house and after locking the door he has opened his clothes upon which she started crying.

Petitioner has clean antecedents.

It is submitted that the petitioner and husband of the informant are *Thela* vendor. The informant used to sell *Bhuja*, whereas, the petitioner used to sell *Puri* and *Sabji*.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **ADJ 1 cum Special Judge, POCSO Act, Patna**, in connection with **Patna Mahila P.S. Case No.13 of 2019 (Special Case No.26 of 2019)**, subject to the condition that both the bailors shall be close relative of the petitioner.

**(Sanjay Priya, J)**

J. Alam/-

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