

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33283 of 2019

Arising Out of PS. Case No.-62 Year-2018 Thana- KORHA District- Katihar

Chhotelal Paswan Son of Late Bhola Paswan Resident of Village- Shishiya,
P.S.- Korha, Dist.- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruby Devi W/o Sanjay Paswan Resident of Village- Shishiya, P.S.- Korha,
Dist.- Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Chandra Prasad

For the Opposite Party/s : Mr. Ahmad Ali

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Korha
P.S. Case No. 62 of 2018 registered for the offence punishable
under Sections 354(A) and 354(B) of the Indian Penal Code and
Section 8 of the POCSO Act.

Petitioner is said to have taken the minor daughter
of the informant from her house and tried to outrage her
modesty and started illegal sexual act with her.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. Petitioner
has been falsely implicated in this case merely because, the wife



of the petitioner has lodged the case against the husband of the informant and others preceding to the case under hand. The occurrence is said to be of 13.02.2017 but the FIR has been lodged after inordinate and abnormal delay of four months without assigning any plausible and convincing explanation and documents. Petitioner has no criminal antecedent and has been languishing in custody since 24.08.2018.

On the other hand, learned APP for the State opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 learned Additional Sessions Judge-I-cum Special Judge, Katihar in connection with Korha P.S. Case No. 62 of 2018.

(Prakash Chandra Jaiswal, J)

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