

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39315 of 2019

Arising Out of PS. Case No.-355 Year-2018 Thana- JAKKANPUR District- Patna

JAIMAL @ ASHUTOSH KUMAR Son of Suresh Kr. Prasad R/o Village-
Shiv Shankar Nagar, Kukuhiya Tola, P.S.- Masaurhi, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Special (POCSO) Case No.150 of 2018, arising out of Jakkanpur P.S.
Case No.355 of 2018, registered under Sections 376, 376(A), 420,
406 and 379/34 of the Indian Penal Code besides Section 12 of the
POCSO Act and Section 66(1) of the I.T. Act.

The accusation is that the petitioner being the tutor used to
visit at the house of the complainant/informant and, in that course,
giving allurement of performing the marriage, developed physical
relation with the complainant/informant. On 03.03.2017,
accompanied the complainant/informant at his house, where the
complainant came to know that the petitioner is not belonging to her
caste rather he is belonging to Paswan Caste. To save skin, the sister



of the petitioner lodged the case against the complainant and her family members. Thereafter, the complainant/informant lodged Complaint Case No.2659(C) of 2018 against the petitioner and others in the court of the Chief Judicial Magistrate, Patna.

Learned counsel for the petitioner submits that, in fact, the sister of the petitioner has lodged the case against the father of the complainant/informant due to that reason, the complainant/complainant has lodged the present complaint case, which is the basis of the present F.I.R..

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge POCSO, Patna -cum- Additional Sessions Judge-I, Patna, in connection with Special (POCSO) Case No.150 of 2018, arising out of Jakkanpur P.S. Case No.355 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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