

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49017 of 2019

Arising Out of PS. Case No.-109 Year-2019 Thana- NOORSARAI District- Nalanda

INDARJEET KUMAR @ INDRAJIT KUMAR Son of Rajkumar Yadav
Resident of village- Yamunapur, P.S.- Noorsarai, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Mohammed Arif

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

ORAL ORDER

2 06-08-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State as also the learned counsel for the informant.

The petitioner apprehends his arrest in connection with Noorsarai P.S. Case No.109 of 2019 registered under Sections 341, 323, 354(B), 504 and 506/34 of the Indian Penal Code besides Sections 8 and 12 of the POCSO Act.

The accusation is that on 21.04.2019 at about 02.30 P.M., the minor daughter of the informant Umesh Yadav had gone to main road to supply the meal to her uncle Pramod Kumar, who used to do the business of selling the sugarcane juice. When the daughter of the informant was returning from there, this petitioner, who also used to put 'Thela' there, called



the daughter of the informant near his 'Thela' and when she went there, this petitioner gave Rs.20/- to her and asked her to go to the sugarcane field. After short interval, the petitioner also went there and tried to commit rape with the daughter of the informant after opening her paint. On raising alarm by the daughter of the informant, when her uncle Pramod Kumar reached there, then this petitioner fled away. When the informant went to the house of the petitioner to make complaint to the family members of the petitioner, then all started to abuse and gave threatening to kill.

Learned counsel for the petitioner submits that, admittedly, the petitioner and the brother of the informant used to sell the sugarcane juice on the main road by putting 'Thela' and both are the resident of the same village. Earlier, Satish Kumar, the cousin of the informant, had lodged Noorsarai P.S. Case No.21 of 2016 against Kapil Yadav, the uncle of the petitioner, and others in which the uncle of the petitioner had been acquitted, due to that reason, the informant has lodged the present case. The petitioner has no criminal antecedent.

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 1st Additional Sessions Judge,
Nalanda at Biharsharif, in connection with Noorsarai P.S. Case
No.109 of 2019, subject to the conditions laid down under
Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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