

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51506 of 2019

Arising Out of PS. Case No.-259 Year-2015 Thana- SHRIKRISHNAPURI District- Patna

MANOJ KUMAR JAIPURIYAR @ MANOJ KUMAR JAIPURIYA @
MANJOJ KUMAR JAIPURIYAR, aged about 65 years, Male, Son of Late
Suresh Chandra @ Suresh Chandra Prasad, Resident of Mohalla-BSIDC
Colony, Aadri Gali, House No.37, Boring Road, P.S.-Shri Krishnapuri,
District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ravi Bhardwaj, Advocate.
For the Opposite Party : Mr.Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-08-2019 A supplementary affidavit has been filed on behalf of
the petitioner. Let it be kept on the record.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
05.07.2019 in a case for the offence registered under Sections
376(2)(f) of the I.P.C. and Section 12 of POCSO Act.

The prosecution story, in brief, is that the informant
Soni Kumari had come to the house of the petitioner, two
months prior to lodging of the present case, for the purpose of
household work. The wife of the petitioner is a Teacher in
D.A.V. School and when she used to leave the house for School



then the petitioner used to commit illegal act with her and on her refusal, she was assaulted by him. It is further alleged that on 21.07.2015, the petitioner is said to have again touched her inappropriately and forcefully where after she somehow ran away from the house and went to the police station.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The victim has been examined under Section 164 of Cr. P.C. There is contradiction in between the allegation made in the F.I.R. and the statement of the victim recorded under Section 164 of Cr. P.C. It is further submitted that the informant has filed a petition in the learned court below, Patna, where she has denied the allegations made in the F.I.R, vide Annexure-6 to the supplementary affidavit. The informant had voluntarily appeared on four different dates through her Advocate by filing attendance in the learned court below to support the petition, vide Annexure-6 to the supplementary affidavit.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 learned Ist Additional Sessions Judge-cum-Special Judge, POCSO, Patna, in connection with Special Case No. 105 of 2015, arising out of Shri Krishnapuri P.S. Case No. 259 of 2015.

(Sudhir Singh, J)

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