

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50338 of 2019

Arising Out of PS. Case No.-72 Year-2019 Thana- WARISLIGANJ District- Nawada

Dashrath Chauhan Son of Jagdish Chauhan Resident of Village - Mai Khaira
Beldari, P.S. - Warisaliganj, District - Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 354(b), 376 of the Indian Penal Code and Section 4 of
POCSO Act.

Allegation is that while the grand daughter of the
informant was cutting grass, the petitioner went there and
downed her on the earth and forcibly torn her frock and remove
her pant and inserted the finger in her private part. When she
cried, the informant went there and the petitioner fled away.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 24.02.2019 and has got no
criminal antecedent. Charge sheet has been submitted in this
case. There is no allegation of tampering of witnesses alleged



against the petitioner. The petitioner has falsely been implicated in the present case. The medical report does not support the allegations made in the F.I.R. The informant has filed a petition in the court below in which she has retracted from the allegations made in the F.I.R. The petitioner has been made accused due to mistake of fact.

On behalf of the State, it is 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 learned 1st Additional District and Sessions Judge-cum-Special Judge, Nawada in connection with POCSO case No.14 of 2019 arising out of Warisaliganj P.S. case No.72 of 2019.

(Sudhir Singh, J)

Narendra/-

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