

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51413 of 2019

Arising Out of PS. Case No.-135 Year-2019 Thana- MAJHAULIA District- West Champaran

ANIL KUMAR, aged about 30 years, Male, Son of Sri Yogendra Prasad,
Resident of Village - Karamwa, Ward No. 8, Kushwaha Tola, P.S.- Majhauria,
District - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Umesh Chandra Verma, Advocate.

For the Opposite Party : Mr.Anand Mohan Prasad Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
11.06.2019 in a case for the offence registered under Sections
376, 511/34 of the IPC, 7, 8 and 18 of the POCSO Act.

The prosecution story, in brief, is that on 29.03.2019
at about 2.00 P.M. the minor daughter of the informant, Manisha
Kumari, aged about 07 years, had gone to Brahm Asthan to
purchase Mehendi from the shop of co-accused Sunil Kumar, in
the meantime, Sunil Kumar, provided Chocolate to her and
asked her to go to Maize field by instructing her that he was also
coming there with Mehendi. When Manisha Kumari reached in
the Maize field, Sunil Kumar also came there and put off her



lower garment and started teasing her, whereupon she started crying loudly attracting people working in the nearby field then Sunil Kumar fled away. The victim came back at her home and narrated the entire story to the informant. The informant went to the house of Sunil Kumar to make complaint, where his father Yogendra Prasad, his mother and his brother Anil Kumar (petitioner) abused her and drove her away and warned her not to disclose the incident anywhere otherwise she would be killed.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The victim has been examined under Section 164 Cr. P.C. where she has not named this petitioner.

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 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, West Champaran at Bettiah, in connection with Majhaulia P.S.



Case No. 135 of 2019.

(Sudhir Singh, J)

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