

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55871 of 2019

Arising Out of PS. Case No.-302 Year-2018 Thana- BIRAUL District- Darbhanga

NAKCHHEDI RAM, aged about 28 years, Male, Son of Sultan Ram,
Resident of Village- Dumari, P.S.- Biraul, District- Darbhanga
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Ranjit Kumar Yadav, Adv.
For the Opposite Party : Mr. Abhay Kumar, APP

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

ORAL ORDER

2 03-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Biraul P.S. Case No. 302 of 2018 for the offences alleged under
Sections 448 and 354B of the Indian Penal Code and 8 of the
Protection of Children from Sexual Offences Act, 2012.

The accusation is that at about 09.00 p.m. on
15.12.2018, informant, aged about 14 years, was alone in the
house, because her mother had gone to attend the call of nature
with others, at that time, the petitioner entered in the house and
started physically insulting her, when she made protest she was
assaulted with fists and slaps and she was laid on ground
catching her breast.

Learned counsel appearing for the petitioner submits
that in fact Rubi Kumari, the sister of the informant, had lodged



a case being Darbhanga Sadar Mahila P.S. Case No. 86 of 2017 under Sections 447, 448, 504, 323, 506, 509, 354, 354A, 354B, 376 and 511/34 of the Indian Penal Code against the family members of the informant, due to that reason the informant had lodged the present case with false allegation.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Biraul P.S. Case No. 302 of 2018 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-cum-Special Judge, POCSO Act, Darbhanga, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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