

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63646 of 2019

Arising Out of PS. Case No.-93 Year-2019 Thana- DIDARGANJ District- Patna

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Ajit Kumar Son of Sharma Choudhary @ Shrvan Choudhary Resident of
Village - Shiva Ghat, Didarganj, P.S.- Didarganj, District - Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Ms Meena Rani

For the Opposite Party : Mr. Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Special
Case No. 57 of 2019 arising out of Didarganj P.S. Case No. 93
of 2019 registered under Sections 341, 323, 354-A, 504/34 of
the Indian Penal Code and Sections 4 and 6 of the Protection of
Children from Sexual Offences Act, 2012.

It is contended by the learned counsel for the
petitioner that from perusal of the first information report itself
it would be evident that the ingredients of the offences
punishable under Sections 4 and 6 of the Protection of Children
from Sexual Offences Act, 2012 are completely missing. As far
as Section 354-A of the Indian Penal Code is concerned, the
maximum punishment prescribed for the offence is one year or



with fine or with both. It is further contended that the other offences alleged in the first information report are bailable in nature. The petitioner happens to be the cousin brother of the alleged victim. He has got absolutely clean antecedent and having roots in the society is not likely to abscond or tamper with the evidence.

Learned counsel for the State has opposed the application for grant of bail.

Considering the nature of allegation made in the first information report and the submission made above, the petitioner, who is in custody since 24.03.2019, is directed to be released on 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 learned Additional Sessions Judge-I-cum-Special Judge, POCSO Act, Patna in connection with Special Case No. 57 of 2019 arising out of Didarganj P.S. Case No. 93 of 2019.

(Ashwani Kumar Singh, J)

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