

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72274 of 2019

Arising Out of PS. Case No.-82 Year-2019 Thana- RISIYAP District- Aurangabad

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CHHOTU KUMAR @ ANKIT KUMAR @ CHHOTU Son of Deonandan
Mehta Resident of Village - Amauna, P.S.- Risiup, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Singh

For the Opposite Party/s : Mr.Ajay Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in G.R. No.51/2019,
arising out of Risiup P.S. Case No. 82/2019 registered under
Sections 354(A), 506, 34 of the Indian Penal Code and Section
11 of POCSO Act.

Two friends of informant called her at the gate of
the school and on arriving there, informant found the petitioner
and two other named accused persons on the gate of the school,
out of them co-accused Sushil Kumar @ Alok Ranjan



told her that he loved with her and in case of not obliging him, they will commit sexual assault against her and on protest, all the aforesaid accused persons extended threatening of dire consequence.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case merely because informant and her companion used to pass comments on the sister of co-accused Sushil Kumar and other village girl and on protest by the petitioner, informant has lodged this false and frivolous case against the petitioner. As per F.I.R. the petitioner has not made any comment against the informant and has also not made any sexual advance but in quite contradiction to the aforesaid F.I.R. the victim in her statement recorded under Section 164 Cr.P.C. has stated that all the three accused persons including the petitioner had made sexual advance against her which is not believable. Petitioner has no criminal antecedent and has been languishing in custody since 06.09.2019.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond 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), Aurangabad in connection with G.R. No. 51 of 2019, arising out of Risiup P.S. Case No.82 of 2019, subject to the condition that in case the petitioner is found indulged in such type of occurrence in future his bail bond shall stand cancelled.

(Prakash Chandra Jaiswal, J)

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