

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70879 of 2018

Arising Out of PS. Case No.-150 Year-2018 Thana- KHAGAUL District- Patna

Niranjan Kumar, S/o Nirmal Kumar, R/o Rampur, Garikhana, P.S.- Khagaul,
Distt.-Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karuna Nath Sahay, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 20-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **POCSO Case No.185 of 2018**
arising out of Khagaul P.S. Case No.150 of 2018 instituted for
the offence under Section(s) 348, 341, 323, 376, 504, 506/34
Indian Penal Code.

Counsel for the petitioner submits that informant had
taken loan of Rs.2.5 lac from Nirmal Kumar. She had paid
amount of interest, but due to financial constrains she did not
pay the entire amount.

It is alleged in the written report that on the date of
occurrence the petitioner, who is son of Nirmal Kumar, came to
the house of the informant with his two friends and assaulted the
informant and her daughter. It is alleged that this petitioner



dragged her 19 years old daughter and took her in a separate room and committed illegal act with her and also gave threat of gun shot if they will disclose about the occurrence to anybody.

Counsel for the petitioner submits that instant case has been lodged by the informant just to grab the money. Occurrence has taken place on 12.06.2018 at 6.00 PM and First Information Report has been lodged on 20.06.2018 after delay of eight days. It is also submitted that the area where the informant resides is densely populated and at 6.00 PM occurrence is said to have taken place.

Case diary has been received. Medical examination report of the victim is available in the case diary, wherein, doctor has assessed the age of the victim between 16-17 years. The doctor has not found any external or internal injury on the person of the victim. Statement of the victim recorded under Section 164 Cr.P.C. is available in the case diary. From perusal of the statement recorded under Section 164 Cr.P.C., it appears that she has given different narration of the incident in her statement recorded under Section 164 Cr.P.C. from the narration given by her mother in the written report.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. 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 **Additional Chief Judicial Magistrate, Danapur, Patna**, in connection with **POCSO Case No.185 of 2018 arising out of Khagaul P.S. Case No.150 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

U		T	
---	--	---	--

