

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80995 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- DHANARUA District- Patna

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Sharwan Kumar @ Shravan Prasad Son of Gauri Shankar Sao Resident of
Village- Barni, P.S.- Dhanarua, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kishore Kumar Thakur

For the Opposite Party/s : Mr. Nand Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-12-2019 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with
Dhanarua P.S.Case No.105 of 2019 instituted for the offences
punishable under Sections 323, 324, 341, 342, 354/34 of the
Indian Penal Code as well as Section 12 of the POCSO Act.

The allegation is that the petitioner caught hand of the
minor daughter of the informant and was taking her to some
other place. The girl escaped and complained to the informant,
thereafter, an occurrence of assault was committed.

Submission is that a concocted FIR has been lodged
after five days of the alleged occurrence. Earlier the case was
lodged by the petitioner's side. The offence under POCSO Act
was added. The averment in the FIR does not disclose that the



petitioner had caught hand of a girl of eight years for some purpose mentioned under the statutory provision.

Considering the entire facts as well as the fact that petitioner has got clean antecedent, let the above named petitioner be released on regular bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge (POCSO) Patna, in connection with Dhanarua P.S.Case No.105 of 2019 corresponding to Special (POCSO) Case No.126 of 2019, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the investigation of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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