

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1916 of 2020**

Arising Out of PS. Case No.-95 Year-2019 Thana- SANGRAMPUR District- East
Champaran

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Awanish Kumar Singh @ Awanish Kr. Singh S/o Brij Singh @ Brij Kishore
Singh @ Braj Kishor Singh R/o village- Puchhariya, P.S.- Sangrampur,
District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar

For the Opposite Party/s : Mr.Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-03-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The instant application for regular bail has been filed by
the petitioner in connection with POCSO Trial No. 45 of 2019
arising out of Sangrampur P.S. Case no. 95 of 2019 registered
for the offence punishable under section 354B of the Indian
Penal Code and sections 7 and 8 of the POCSO Act.

As per allegation in the FIR, the petitioner is said to have
forcibly taken the 7 year old minor daughter of the informant. It
is stated that on searching for her, it transpired that the petitioner
had taken the informant's daughter to the river side and had
misbehaved with her.

It is submitted by learned counsel for the petitioner that
the allegations as levelled in the FIR are false and he has been



falsely implicated in the case due to village politics. It is further submitted that the informant has tried to change the version of the story as made in the FIR which was of misbehaviour to that of the petitioner having committed wrong. It is further submitted that the petitioner has no criminal antecedent and is in custody since 15.5.2019.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above including the fact that as per the FIR the petitioner is the main assailant and the allegation as levelled in the FIR have been supported by the seven year old daughter of the informant in her statement under section 164 Cr.P.C, this Court is not inclined to enlarge the petitioner on bail and as such his application for bail is rejected.

The learned Court below is directed to expedite the trial.

(Partha Sarthy, J)

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