

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19374 of 2020

Arising Out of PS. Case No.-227 Year-2017 Thana- MANER District- Patna

Rohit Kumar S/o Bhakti Rai @ Bhagt Ray R/o- Jirakhan Tola, Darveshpur
Bagicha, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary

For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-07-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioner and learned
APP for the State.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of physical
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 341, 323, 354 & 504/34 of
the Indian Penal Code and Section 11 of the POCSO Act.



Petitioner is said to have used to molest the daughter of the informant in course of going to school and coaching classes and when the informant made complaint to the father of the informant he abused her and threatened to kidnap her daughter. On 17.05.2017 at 4 PM in the evening, the petitioner came to informant's house and began to abuse and also told that he will spoil her daughter and when he forbade him to do so, the petitioner in association of his family members assaulted the informant's family.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to dirty village politics. There is delay of 10 days in lodging the F.I.R. without assigning any cogent reason for the said delay. It is also submitted that the victim is aged about 20 years, hence POCSO Act is not applicable in this case. The petitioner has no criminal antecedent and has been languishing in custody since 03.12.2019.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty FiveThousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge POCSO Act, Patna in connection with Special



(POCSO) Case No.85 of 2019, arising out of Maner P.S. Case
No.227 of 2017.

(Anjani Kumar Sharan, J)

Trivedi/-

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

