

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 15148 of 2020

**Karu Ram s/o Late Sobhi Ram resident of village Villaur, P.S Barh
District PatnaPetitioner**

Versus

The State of BiharOpposite Party

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Appearance

For the Petitioner : Mr. Manoj Kumar Singh, Advocate

For the State : Dr. Mrityunjaya Kumar Gautam, APP

CORAM : HONOURABLE MR. JUSTICE PARTHA SARTHY

Oral Order

2 15.07.2020

Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Barh P.S. Case no. 388 of 2018 registered under sections 376 and 511 of the Indian Penal Code and sections 8 and 12 of the POCSO Act.



As per allegation in the FIR, while the informant and other members of her family were sleeping, it is stated that the petitioner finding the door of the house open entered into her house, slept by her side and attempted to misbehave with her. It is stated that on her sister and herself raising 'hulla' he escaped. It is stated that he was in an intoxicated condition.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and incorrect and the petitioner has been falsely implicated in the case which would be evident from the statement of the informant under section 164 Cr.PC which was recorded subsequently and has been brought on record as Annexure 2 to the petition. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and in view of the statement of the informant recorded under section 164 Cr.P.C (Annexure 2) as also the fact that the petitioner has no criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Barh P.S. Case no. 388 of 2018 he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) wit

of the like amount each to the



satisfaction of the learned Additional District Judge I-cum-Special Judge
POCSO Act, Patna subject to the conditions as laid down in section 438(2)
of the Criminal Procedure Code.

(Partha Sarthy, J)

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