

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18556 of 2020**

Arising Out of PS. Case No.-82 Year-2019 Thana- RAJNAGAR District- Madhubani

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SUNIL KUNWAR Son of Sri Surya Narayan Kunwar Resident of Village-  
Madhubani Tola, P.S.- Raj Nagar, District- Madhubani. ... .. Petitioner/s  
Versus

The State of Bihar. ... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shailendra Kumar Jha  
For the Opposite Party/s : Mr. Umesh Lal Verma

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      09-06-2020                      This case has been heard through video-conferencing.

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

The petitioner seeks bail in a case registered for the offence punishable under Sections 323, 341, 354 (c), 504 & 506/34 of the Indian Penal Code, Section 8 of the POCSO Act and Section 67 of the I.T. Act.

Petitioner is a tutor and is said to have shoot out vulgar photos of the daughter of the informant and sent the said photos on her mobile. The petitioner always tired to misbehave with her on many dates. When the informant went to make complaint to his parents they abused and assaulted him.

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 and social rivalry. It is also submitted that the victim girl is above 16 years, hence no offence under POCSO Act is made out against the petitioner. The petitioner has been languishing in custody since 30.09.2019.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that from perusal of the impugned order, it is evident that the informant in para-2, victim girl in para-7 and one witness, Lalit Kumar in para-4 of the case diary have fully supported the occurrence. Hence, the petitioner does not deserve the privilege of bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby rejected.

However, the learned Trial Court is directed to conclude the trial as expeditiously as possible, preferably within one year from the date of receipt/production of a copy of this order. Both the parties are expected to extend their co-operation in conclusion of the trial.

**(Anjani Kumar Sharan, J)**

Trivedi/-

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