

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.21574 of 2020

Arising Out of PS. Case No.-143 Year-2019 Thana- DINARA District- Rohtas

AJAY CHOUDHARY @ SHATRUDHAN CHOUDHARY, aged about 21 years, Male, Son of Baban Choudhary, Resident of Village - Akaraura, P.S.- Sikraul, Dist.- Buxar ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Rajani Kant Singh, Adv.

For the Opposite Party : Mr. N. Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 10-07-2020

Mr. Rajani Kant Singh, learned counsel appearing on behalf of the petitioner, prays that the defects, as pointed out by the office note, dated 30.06.2020, will be removed within two weeks just after starting the functioning of physical Court.

In view of the undertaking, the prayer of the learned counsel for the petitioner is allowed.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state through video conferencing.

The petitioner seeks bail in connection with POCSO Case No. 56 of 2019 arising out of Dinara P.S. Case No. 143 of 2019, registered under Sections 366A, 376 and 34 of the Indian Penal Code and 4 and 6 of the Protection of Children from Sexual Offences Act, 2012.

The accusation is that the informant, Rani Khatoon, aged about 15 years, was enticed away by Sonu Kumar boarding on motorcycle, who used to do the work of technical labourer at the house of the informant on pretext to go to the house of his sister where Sonu



Kumar committed rape upon her and at that place this petitioner also reached and made attempt to commit rape.

Submission is that from perusal of the first information report it would appear that this petitioner, who is the brother of co-accused, Sonu Kumar, has been implicated in this case with allegation to make attempt to commit rape. The victim, in her statement in course of trial, has also stated about scuffling of the petitioner with her, who has been examined as P.W. 2 in POCSO Case No. 56 of 2019 (Annexure 3). the petitioner has no criminal antecedent and is in custody since 02.06.2019.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with POCSO Case No. 56 of 2019 arising out of Dinara P.S. Case No. 143 of 2019 to the satisfaction of the Additional District & Sessions Judge, I, Rohtas at Sasaram.

(Rajendra Kumar Mishra, J)

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