

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26344 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- TETERHAT District- Lakhisarai

SURESH CHOURASIA S/o Late Foudi Chourasiya Resident of Village-
Satsanda, P.S.-Tetarhat, District-Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 24-11-2020 Heard the learned counsel for the petitioner
and Sri Umesh Lal Verma, the learned APP for the
State.

The petitioner seeks regular bail in connection
with Tetarhat P.S. Case No. 23 of 2020, registered
for the offence punishable under Sections 376(A)/
(B) of the Indian Penal Code and Section 4 of the
POSCO Act.

The allegation is regarding the petitioner
having taken the minor daughter of the informant
in the field, whereafter he had engaged in
committing misdeed with her, however, the sister-
in-law of the informant had arrived there resulting



in the petitioner having fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 08.03.2020. The learned counsel for the petitioner has submitted that the petitioner is 60 years old man and it cannot be imagined that he could have committed such a heinous crime. It is also submitted that the medical report would show that there is no sign of sexual violence and in fact, neither any external nor any internal injury has been found qua the victim girl during the course of medical examination.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that no sign of sexual violence has been found during the course of medical examination of the victim girl, I deem it fit



and proper to give benefit of doubt to the petitioner herein for the purposes of grant of bail, hence, the petitioner is directed to be released on bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, POCSO, Lakhisarai in connection with Tetarhat P.S. Case No. 23 of 2020.

(Mohit Kumar Shah, J)

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