

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27432 of 2020

Arising Out of PS. Case No.-118 Year-2019 Thana- PUNAURA District- Sitamarhi

Binod Ram, S/O Late Bhola Ram, Resident of Village - Maniyari, P.S. -
Punaura, Dist - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advcoate

For the Opposite Party/s : Mr.Anil Kumar Singh No.1, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 21-12-2020 Since as of now the Courts have not resumed
normal physical hearing, the matter has been listed today
for consideration through video conferencing.

The learned counsels are appearing and making
submissions from their residence.The Court Master and
Secretary are also part of this virtual Court proceedings
from their homes, all with the aid of audio visual
technology.

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

The petitioner seeks bail in connection with
Punaura P.S. Case No.118 of 2019 registered for the offence
punishable under Section 354(B) of the Indian Penal Code
and Section 7/8 of the POCSO Act.



The prosecution case is that when the informant's minor daughter was alone in her house, the petitioner entered into the house and disrobed her and tried to molest her. The victim's neighbour saw the occurrence and raised noise and drove the petitioner away.

It is submitted by the petitioner's counsel that the petitioner is aged about 65 years. He bears a clean antecedents and there is a dispute between the petitioner and the prosecution party over plucking of some flowers from the "Matth", for which he has falsely been implicated in this case.

Learned APP for the State has opposed the prayer for bail. It is submitted that the victim has supported the allegations in her statement recorded under Section 164 Cr.P.C. The nature of crime perpetrated by the petitioner on a 9-10 years old girl is very heinous, for which the petitioner should not be granted the privilege of bail as of now he has only been in custody since 14.03.2020.

Considering the rival submissions, this Court is not inclined to allow the petitioner's prayer for bail. The same is rejected, for the present.

This Court would expect that the petitioner's



counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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