

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24087 of 2020

Arising Out of PS. Case No.-132 Year-2020 Thana- KAUWAKOL District- Nawada

PAPPU KUMAR, Son of Biresh Yadav, Resident of Village - Bariyarpur, P.S.-
Kowakol, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mrs.Pushapa Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-11-2020 Heard learned senior counsel for the petitioner Mr. Yogesh Chandra Verma assisted by Mr Pramod Kumar on behalf of Mr. Sheo Kumar Prasad and learned APP for the State Mrs. Pushpa Sinha through virtual court proceedings.

The petitioner seeks bail in a case registered for the offence punishable under Sections 341, 323, 354 (A)(B), 379, 504, 506/34 of the Indian Penal Code and Section 8 of the POCSO Act.

The prosecution case in brief is that the informant of this case has given written application to the S.H.O. of Kowakole P.S. alleging therein that on 06.05.2020 all the accused persons had come on the house of informant. The petitioner has taken the picture of the informant and uploaded on face book with wrong content. It is further alleged that when



the brother of the informant know that about this act then he gone at the house of the petitioner where all the accused persons have assaulted the brother of the informant but any how he saved his life. It is further alleged that the petitioner has fallen the informant and tried to outrage the modesty, in that court co-accused namely Dinesh Yadav has taken away the golden chain and Rs. 5,000/- and they have also threatened for dire consequences.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Both parties are gotiya and due to petty dispute for Rasta, the informant created a false story and implicated the petitioner. He further submits that the statement of the victim u/s 161 and 164 is contradictory to each other. The petitioner is in jail custody since 07.05.2020 and has no criminal antecedent.

Learned counsel for the informant submits that the petitioner is the main accused and the statement of victim u/s 164 Cr.P.C. has supported the prosecution case.

Learned APP for the State opposes the prayer for bail petition and submits that I have gone through the record and case diary, witnesses have supported the prosecution case.

Considering the aforesaid facts, I am not inclined to



enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Kowakole P.S. Case No. 132/2020 pending in the Court of learned Additional Sessions Judge-1st, Nawada.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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