

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 24270 of 2020

Arising Out of PS. Case No.-502 Year-2019 Thana- BIDUPUR District- Vaishali

Angad Kumar Son of Late Arun Kumar Singh Resident of Village Ramdauli,
P.S. Biddupur, District - Vaishali .

... .. Petitioner

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Sumeet Kumar Singh, Advocate

For the Opposite Party : Mr. Anuj Kumar Srivastava, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-09-2020 Heard learned counsel for the petitioner and the State
through Video Conferencing.

The petitioner seeks bail in a case registered for the
offence punishable under sections 376/511 of the Indian Penal
Code and under section 5 of the POCSO Act.

Prosecution case is that the 5 years old grand daughter
of the informant was staying alone in the house as other family
members were busy in Tilak ceremony of his younger brother.
In the meantime, at 10 pm the petitioner on allurement took her
to the orchard nearby primary school. It is further alleged that he
pull down pant of the girl to commit offence but on account of
hulla raised by her, villagers came there in no time. They
rescued the girl and caught hold the petitioner in a drunken



state.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to land dispute. Further, as per the allegation, section 376 of the Indian Penal Code is not applicable in the petitioner's case as no offence of rape was committed by the petitioner and at best offence under section 354 of the Indian Penal Code is made out against the petitioner. Petitioner has got no criminal antecedent. Petitioner is in custody since 8.12.2019.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge I cum Special Judge, Vaishali at Hajipur in Bidupur Police Station Case No. 502/2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

