

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25549 of 2020

Arising Out of PS. Case No.-19 Year-2018 Thana- MAHILA P.S. District- Nalanda

SANTOSH KUMAR Son of Heera Ravidas Resident of Village - Bajit Pur,
P.S.- Athamal Gola, District - Patna. At present resident of village - Rupaspur,
P.S.- Chandi, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar No.1
For the Opposite Party/s : Mr.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-10-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Ms. Anita Kumari Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with Mahila PS case no. 19 of 2018 instituted for the offences punishable under Sections 354 (B), 376 of Indian Penal Code and 4/8/12 of POCSO Act.

The allegation according to the informant is that on 16.03.2018 at about 3 pm while the informant was at her home, six year's old daughter had come weeping to her and on an inquiry being made from her, she disclosed that while she was



returning from school, the petitioner had lifted her in his lap, took her to the orchards and after taking out of her garments, has inserted his finger in her private parts.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent.

Per contra, the learned A.P.P. for the State 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 the petitioner has indulged in a heinous and obscene crime with a minor girl, I do not find the present case to be a fit case for grant of anticipatory bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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