

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28728 of 2020

Arising Out of PS. Case No.-51 Year-2020 Thana- MALI District- Aurangabad

MUNNA KUMAR, Son of Sanjay Ram, Resident of Village- Raganian
Manjahuli, P.S.- Mali, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mrs. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-12-2020 Heard learned counsel for the petitioner and learned
App for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 341/323/456/354(A)/504,
506/13 of the Indian Penal Code read with Section 12 of the
POCSO Act.

Prosecution case in brief is that the informant in his
written Complaint has alleged that after meal on 26.05.2020 the
entire family had gone to sleep and the daughter of the
informant Renu Kumari aged about 15 years had gone to sleep
in an adjoining room. The daughter began to shout at which they
all woke up and saw that the petitioner had caught hold of the
hand of Renu Kumari and was teasing her. They all caught hold
of the petitioner who began to abuse the informant. Four co-



accused persons came there on behalf of the petitioner who abused and got petitioner freed.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. As a matter of fact, the house of the informant and his house are side by side and there used to be some altercation between them and the present case has been filed due to such altercation on the instigation of local bad elements. The police has submitted charge sheet under Sections 341, 323, 456, 354(a), 504, 506/34 of the Indian Penal Code and under Section 12 of the POCSO Act. The police has not filed charge sheet under Section 376 of the Indian Penal Code against the petitioner. He further submits that Section 12 of the POCSO Act, the punishment is only for three years. The petitioner is in custody since 29.05.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail **after framing of the charge** on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Mali P.S. Case No. 51/2020



to the satisfaction of the learned 1st Additional District and
Sessions Judge cum Special Judge (POCSO), Aurangabad.

(Anjani Kumar Sharan, J)

amitkumar/-

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

