

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28673 of 2020

Arising Out of PS. Case No.-71 Year-2020 Thana- GOPALPUR District- Patna

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Sanoj Kumar @ Sanoj Singh, aged about 19 years, Male, Son of Chanchan Singh @ Chanchal Singh @ Mahesh Rai, Resident of Village - Udaini Sirpatpur, Sampatchak, P.S.- Gopalpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj, Advocate
For the State : Mr.Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-12-2020 Heard the parties through the virtual court proceeding.

The petitioner seeks bail in connection with Gopalpur P.S. Case No. 71 of 2020 dated 19.02.2020 corresponding to Special (POCSO) 40 of 2020 registered for the offence punishable under Section 354 of the Indian Penal Code and Section 8 of Protection of Children from Sexual Offences Act.

Prosecution case in short is that accused habitually used to stalk and rib the minor daughters aged about 13 and 14 years of the informant on their way to coaching classes. It is further stated that on 19.02.2020, accused Sanoj Kumar has caught pulling away the “Dupatta” and handed over to the police.

Learned counsel for the petitioner submits that the



petitioner is quite innocent and has committed no offence and the petitioner has falsely been implicated in this case due to personal grudge. He further submits that the manner and reason of dispute was somewhat different which was given criminal colour by the informant to grab the dues money of Cement and to teach lesson to the petitioner. He further submits that the actual story is that the informant had borrowed some Cement from Sanoj Cement Store, Sampatchak, who is petitioner's family, but on demand of dues money, the informant put excuses one after another. On the date of alleged occurrence, the informant was coming with her daughter from Sampatchak. At the Sanoj Cement Store when the informant was asked money, he again refused then situation of scuffle took place there, which was overcome by local people. But to give lesson and in retaliation, informant filed this fake case with concocted allegation of flirting his daughter against the petitioner. He further submits that the petitioner is in jail custody since 05.03.2020.

Learned A.P.P. for the State opposed the bail petition and submits that the victim in her statement recorded under Section 164 Cr.P.C. has supported the prosecution case.

In the facts and circumstances of the case, let the



above named petitioner be enlarged on bail after framing of charge on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO Act cum 1st Additional Sessions Judge, Patna in connection with Gopalpur P.S. Case No.71 of 2020 dated 19.02.2020 corresponding to Special Case No.40 of 2020.

(Anjani Kumar Sharan, J)

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