

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77660 of 2019

Arising Out of PS. Case No.-49 Year-2017 Thana- MUNGER COMPLAINT CASE District-
Munger

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Bikram Poddar S/o Late Mohan Poddar Resident of Lallo Pokhar, Godhi Tola, P.S.- Kasim Bazar, Dist. Munger.

... .. Petitioner

Versus

1. The State of Bihar
2. Rakhi Devi Wife of Krishna Murari Poddar Daughter of Sri Santu Poddar, Resident of Mohalla - Lallo Pokhar, Godhi Tola, Police Station - Kasim Bazar, District- Munger.

... .. Opposite Parties

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Appearance :
For the Petitioner/s : Mr. Surya Narayan Sah, Adv.
For the Opposite Party/s : Mr. Madhura Nand Jha, APP
For the Informant : Mr. Manoj Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

5 16-10-2020 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

Petitioner seeks pre-arrest bail in connection with
Complaint Case No. 49(C) of 2017 in which cognizance has
been taken under Sections 376, 354 and 511 of the Indian Penal
Code and Sections 4, 6, 8 and 12 of the POCSO Act.

Considering the gravity of the offence and the
serious nature of allegation made against the petitioner that he
committed sexually assault upon a minor girl aged about five
years and the victim and her mother have supported the case
during inquiry, I am not inclined to grant bail on the ground of



delay in lodging the complaint. The prayer for bail is rejected.

In case, the petitioner surrenders and seeks bail, the same shall be considered and disposed of on its own merits without being prejudiced in any manner by this order.

Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present order:-

- (i) The order, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me on my e-mail by the Sr. Secretary.
- (ii) The corrected copy of the order shall be transmitted by me from my e-mail id to the Sr. Secretary, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.
- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let a copy of the order be sent to



Mr. Surya Narayan Sah, learned counsel for the petitioner also on his e-mail.

(v) Let steps be taken by the Sr./Secretary/registry for up-loading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

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