

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80966 of 2019

Arising Out of PS. Case No.-316 Year-2019 Thana- CHHATAUNI District- East Champaran

PAWAN KUMAR Son of Raghunath Prasad Resident of Mohalla - Dharam
Samaj Chowk, Near Shiv Mandir, P.S.- Chhatauni, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 27-05-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under Sections
376, 511, 341, 323, 354 and 504 of the Indian Penal Code and
Sections 8/12 of the POCSO Act.

Allegedly, the petitioner took away informant’s minor daughter
and tried to commit rape upon her.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
is in custody since 22-07-2019. Charge sheet has already been



submitted. The petitioner, who is Devar of the informant, took away daughter of the informant and tried to commit rape upon her. The petitioner and the informant reside in the same house and due to property dispute, the petitioner has falsely been implicated in the present case. At best, it is a case of under Section 354 of the Indian Penal Code.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned Ist Additional Sessions Judge-cum-Special Judge of POCSO Act, Motihari, East Champaran in connection with POCSO Tr. No. 57 of 2019 arising out of Chhatauni P.S. Case No. 316 of 2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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