

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL APPEAL (SJ) No.1485 of 2021

Arising Out of PS. Case No.-10 Year-2020 Thana- MAHILA PS District- Khagaria

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AJIT KUMAR SINGH @ TUNTUN SINGH Son of Late Brahamdeo Singh
Resident of Village - Mohanpur, P.S. - Choutham, District - Khagaria

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Satish Kumar Singh

For the Respondent/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR

ORAL ORDER

2 28-10-2021 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 25.11.2020 passed by learned Additional District and Sessions Judge VI-cum-Special Judge POCSO Khagaria in ABP No. 38 of 2020 whereby the prayer for bail of the appellant in connection with Khagaria (Mahila) P.S. Case No. 10 of 2020 under Section 341, 323, 354(A), 504 of the Indian Penal Code, section 8 of the POCSO Act and section 3(i)(r)(s) of the SC/ST Act was rejected.

It is alleged against the appellant that he has teased the appellant in absence of her parents at her house.

It is submitted by learned counsel for the appellant that appellant has falsely implicated in this case. Alleged occurrence has happened in the house of the informant and has not taken the cast name of the informant in public view. No offence is made out under the provisions of the SC/ST Act



against them. He has got no criminal antecedent.

Having heard learned counsel for the parties and considering the fact that cognizance of offence has been taken against the accused under section 341, 323, 354(A), 504 IPC and section 8 of the POCSO Act along with section 3(1)(r)(s) (w), 3(2)(Va) of the SC/ST Act and, thereafter, vide order dated 25.11.2020, the learned Additional District and Sessions Judge VI-cum-Special Judge POCSO, Khagaria has rejected the anticipatory bail of the appellant.

In view of the above, this Court does not find any infirmity or illegality in the order of learned Court below.

Accordingly, the appeal with regard to the appellant for release the appellants on anticipatory bail is rejected.

However, if the appellant surrenders and prays for regular bail within a period of six weeks, the same shall be considered by the court below, without being prejudiced by the order of this Court.

With the aforesaid observation/direction, the appeal stands disposed off.

(Sunil Kumar Panwar, J)

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