

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18253 of 2021**

Arising Out of PS. Case No.-150 Year-2020 Thana- BUNIYAD GANJ District- Gaya

Rahul Kumar aged about 20 years, S/O Pramod Kumar R/O Village-Sodhi,
P.S-Buniyadganj, District-Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr.Gulnar Begum, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

3 02-12-2021 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The petitioner who is in custody since 18.12.2020 seeks regular bail in connection with Buniyadganj P.S. Case No. 150 of 2020 registered for the offence punishable under sections 341, 294, 354(B), 509, 323, 504, 34 of the Indian Penal Code and 8/12 of Posco Act.

As per prosecution story while the daughter of the informant was returning from tuition the petitioner molested her and sexually harassed her.

Learned counsel for the petitioner submits that the petitioner has been implicated in this case due to land dispute with informant and just to harass him, the present case has been instituted. It has further submitted that there is no criminal



antecedent against the petitioner.

Learned counsel appearing on behalf of the State has opposed the prayer for bail and he submits that in para 36 of the case diary, the victim was examined under section 164 of the Cr.P.C. in which she has stated the petitioner used to sexually assault her on the day of alleged allegation as well as in the past.

Considering the rival contention of the parties and the statement of the victim girl who has stated that the petitioner used to harass her but there is no allegation of any sexual assault and she has also accepted that there was previous enmity between the petitioner and her father, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of Special Judge Posco Court cum ADJ-6, Gaya, in connection with Buniyadganj P.S. Case No. 150 of 2020 subject to the following condition:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

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