

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28769 of 2021

Arising Out of PS. Case No.-102 Year-2020 Thana- KHIJARSARAI District- Gaya

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Ranjan Kumar S/o Avadhesh Prasad R/o village- Keni, P.S.- Khizarsarai,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar No. 2

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Khizarsarai P.S. Case No.
102 of 2020 (POCSO Case No. 43 of 2020), registered for the
offence punishable under Sections 341, 323, 379, 354(B) and 34
of the Indian Penal Code and section 8 of the POCSO Act.

As per the prosecution case, this petitioner along with
co-accused Appu and some unknown person tried to sexually
assault the informant/victim girl (minor), but on alarm raised by
the victim girl, her brother came to rescue and the accused
persons fled away, and during the occurrence, the victim
girl/informant also received injury on her neck.



It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. In fact, on the date of occurrence, while the petitioner was passing near the house of informant, she threw dirty water upon him, as a result of which altercation took place between the parties. Due to that informant lodged this false and fabricated case against the petitioner. There is no allegation of commission of any sexual assault, at best, only allegation is that petitioner tried to molest the informant. Allegation of causing injury in against Appu. Petitioner is in custody since 31.01.2021 having no criminal antecedent. Investigation is complete.

Learned APP however, vehemently opposed the prayer for bail and submitted that there is specific allegation against this petitioner that he along with others tried to sexually assault the informant (minor) and the informant has also supported the prosecution case in her statement under Section 164 Cr.P.C.

Considering the nature and gravity of offence, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

However, once charge is framed and trial commences, the petitioner shall be released on bail by the learned trial court



on its own satisfaction and on the condition that petitioner will cooperate in disposal of trial and appear before the court, as and when required.

(Prabhat Kumar Singh, J)

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