

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41713 of 2021

Arising Out of PS. Case No.-374 Year-2019 Thana- DHANARUA District- Patna

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Raj Kumar Paswan S/O Nand Lal Paswan R/O Village-Malkoni, P.S-Jandaha,
District-Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Ms.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 25-10-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Special Case No. 175 of 2019, arising out of Dhanarua P.S. Case No. 374 of 2019, registered for the offence under Section 354 of the Indian Penal Code and Section 12 of the POCSO Act.

As per the prosecution case, this petitioner, in a drunken condition, entered into the house of the victim (informant) and caught her hand and when she raised alarm, her mother woke-up and caught the petitioner on spot.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case because he is a labour working for one Mithlesh Ram, with whom, there was previous enmity of informant's family. Even as per F.I.R., petitioner is only alleged to have caught hand of the victim. Petitioner has got clean antecedent and he is in custody since 11.09.2019. Chargesheet has been submitted.



Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge – VII cum Exclusive Special Court POCSO Act, Patna in connection with Special Case No. 175 of 2019, arising out of Dhanarua P.S. Case No. 374 of 2019.

(Prabhat Kumar Singh, J.)

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