

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35029 of 2020

Arising Out of PS. Case No.-277 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

MAHESH KUMAR Son of Jai Narayan Prasad Resident of Village - Bakhari,
P.S.- Baikunthpur, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma, Adv.

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 02-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 341, 342, 323, 354(B) of the
Indian Penal Code and Section 8/10 of the POCSO Act.

The accusation is that in the evening of 02.11.2018,
the informant aged about 16 years had gone to attend the call of
nature. At that time, she was forcibly taken by Rakesh Kumar,
Mahesh Kumar (petitioner) and Nitish Kumar giving
threatening to kill her and all tried to outrage her modesty and
made attempt to commit rape, then she made protest on which
all started to cause assault her thereafter she fell down
unconscious. After some time, her family members came and
she narrated the story to them.



Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that victim girl has given her statement under Section 164 Cr.P.C. wherein she has levelled general and omnibus allegation against the petitioner. He submits that similarly situated co-accused has been granted bail by coordinate Benches of this Court in Cr. Misc. No. 18859 of 2019 on 28.03.2019 and in Cr. Misc. No. 21161 of 2020 on 29.06.2020. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 28.02.2020.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-Cum-Special Judge (POCSO Act), Gopalganj in connection with Baikunthpur P.S. Case No. 277 of 2018.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

