

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35986 of 2020

Arising Out of PS. Case No.-40 Year-2019 Thana- MAHILA P.S. District- Vaishali

RAHUL KUMAR @ RAHUL TIWARY SON OF MITHILESH TIWARY @
MITHLESH TIWARY RESIDENT OF VILLAGE - MARICHHA CHOWK,
POLICE STATION - SARAI, DISTRICT - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohammad Sufyan, Adv.
For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-01-2021 Heard the learned counsel for the petitioner
and the learned APP for the State, Sri Ashok Kumar.

The petitioner seeks regular bail in connection
with Mahila P.S. Case No. 40 of 2019, registered for
the offence punishable under Sections 376/511 of
the Indian Penal Code and Sections 8/4/18 of the
POCSO Act.

The allegation is regarding the petitioner
having molested the victim girl.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, he has
been falsely implicated in the present case, he is



having a clean antecedent and he is languishing in custody since 24.08.2020. The learned counsel for the petitioner has further submitted that there is no serious allegation of even attempt to rape and in fact, some scuffle had taken place in between the petitioner and the victim girl leading to lodging of the FIR.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the nature of allegation levelled against the petitioner as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court



POCSO-cum-ADJ-VI, Vaishali at Hajipur in
connection with Mahila P.S. Case No. 40 of 2019.

(Mohit Kumar Shah, J)

Ajay/-

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

