

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36836 of 2020

Arising Out of PS. Case No.-169 Year-2019 Thana- ATRI District- Gaya

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DHIRAJ KUMAR @ NUNU KUMAR SON OF LATE NIRANJAN SINGH
RESIDENT OF VILLAGE- TETUA DIH, POLICE STATION- ATRI,
DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-02-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
POCSO Case No. 42 of 2019 arising out of Atri P.S. Case No.
169 of 2019 for the offence registered under Sections 341, 323,
354 and 354(B) of the Indian Penal Code.

The allegation is regarding the petitioner having taken
the victim girls inside a Dak Bangla whereafter he is alleged to
have beaten them, however, in the meantime, the father of one of
the victim girl had arrived there and freed them.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is languishing
in custody since 04.05.2019. The learned counsel for the
petitioner has further submitted that a bare perusal of the



statement of the victim girls under Section 164 Cr.P.C. would show that the victim girls have not alleged any misdeed having been committed by the petitioner.

Per contra, the learned counsel for the State 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 materials available on record as also considering the statement of the victim girls made under Section 164 Cr.P.C. before the learned Magistrate, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 Additional District and Sessions Judge-1st-cum-Special Judge (POCSO Act), Gaya in connection with POCSO Case No. 42 of 2019 arising out of Atri P.S. Case No. 169 of 2019.

(Mohit Kumar Shah, J)

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