

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40023 of 2020

Arising Out of PS. Case No.-248 Year-2019 Thana- BARH District- Patna

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Monu Kumar, male, aged about 24 years, Son of Radhe Singh @ Radhe Shyam Singh, Resident of Village - Sadikpur, P.S. - Barh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 14-12-2021 Heard Mr. Arun Kumar, the learned Advocate for
the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Special Case No. 104 of 2019 arising out of Barh P.S. Case No. 248 of 2019, dated 01.06.2019, instituted for the offences under Sections 341, 323, 354(B) and 34 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

The accusation against the petitioner is of making attempts at taking the victim girl inside the bush for



committing immoral act. In the meantime, the brother of the petitioner is said to have taken the petitioner away from the custody of the persons who had assembled there on the call of the victim.

It has been submitted on behalf of the petitioner that the accusation against him is absolutely false. It has further been submitted that there is a story behind the petitioner and his brother being made accused in this case. The victim is not a minor. She is now a lady with a child in her lap.

There was some attempt at negotiating the marriage of the victim with the petitioner and because of its ultimate failure, the present case has been lodged.

There is another story narrated in the bail application, viz., that the informant had accepted some money from the petitioner for getting him job but on her failure to do so, she was not ready to return the money. Filing of a criminal case is the best mechanism through which the petitioner could have been prevented from raising the demand again.



The brother of the petitioner, who is said to have taken him away from the custody of the local persons, has been granted anticipatory bail by a Bench of this Court.

The learned counsel for the petitioner has further submitted that he is a government servant.

Taking all these facts into account, the petitioner, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-Ist, Patna in connection with Special Case No. 104 of 2019 arising out of Barh P.S. Case No. 248 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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