

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.663 of 2021

Arising Out of PS. Case No.-133 Year-2020 Thana- RAJPUR District- Buxar

RUBAL KUMAR, aged about 19 years, Male, Son of Sunil Singh, Resident of Village - Baghelwa, P.S.- Rajpur, Distt.- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Anil Kumar Roy, Advocate.
For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-02-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 457 and 354(B)/34 of the I.P.C. Later on Sections 8 and 12 of POCSO Act were also added.

The prosecution story, in brief, is that on 07.06.2020 at about 12.15 A.M., co-accused Pappu Singh entered inside the house of the informant and started touching with the body of the daughter of the informant upon which she cried then the informant and his wife awake and they have seen that two



persons Munna Yadav and Rubal Kumar were standing in the *Gali* and co-accused Pappu Yadav fled away from the place of occurrence.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The main allegation is against co-accused Pappu Yadav who is said to have entered the house of the victim and tried to make sexual assault with the victim. No allegation of sexual assault is alleged against the petitioner. There is contradiction in the statements of the informant and the victim recorded under Section 161 of Cr. P.C. and the F.I.R.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VI-cum-Special



POCSO Judge, Buxar, in connection with Rajpur P.S. Case No.
133 of 2020 and, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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