

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.997 of 2021

Arising Out of PS. Case No.-382 Year-2020 Thana- DANAPUR District- Patna

VIVEK SINGH Son of JAINATH SINGH Resident of Village - Mainpura,
P.S. - Danapur, District - Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 25-06-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 376/511 of the Indian Penal
Code and Section 4, 6, 8 of the POCSO Act.

Prosecution case is that petitioner and one Abhishek
Kumar offered the victim to establish physical relationship with
them in exchange of Rs. 500/-. It is further alleged that they
caught hold of her hand with illicit motive and kissed her, but
she denied and raised alarm both started fleeing away. It is
further stated that both the accused persons were caught on the
spot and handed over to the police.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that victim has stated under 164 Cr.P.C.



statement that there is no sexual harassment by the petitioner. He submits that petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 30.06.2020.

However, learned APP for the State opposes the prayer for bail and submits that petitioner has tried to commit rape with the victim.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for bail is rejected in connection with Danapur P.S. Case No. 382 of 2020, Special Case No. 125 of 2020 pending before the court of the learned Additional Sessions Judge-1st, Patna.

Accordingly, the application is dismissed. However, petitioner is at liberty to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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