

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.427 of 2021

Arising Out of PS. Case No.-278 Year-2020 Thana- ATRI District- Gaya

Suraj Kumar S/o Late Kamala Singh R/o village- Jethian, P.S.- Atri, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manish Kumar No.2 with Mr.Gajendra Kumar Singh
For the State	:	Ms. Pushpa Sinha APP
For the informant	:	Mr. Rama Kant Singh Advocate.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-03-2021 Heard learned counsel for the petitioner, informant and the learned APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Atri PS Case No 278 of 2020, POCSO Case No.93 of 2020, instituted for the offence under Section 376 of the Indian Penal Code and Sections 4 and 6 of the Protection of Children from Sexual Offences Act (hereinafter referred to as the “Act”).

The First Information report alleges the offenses under the Act against the minor victim by the petitioner who was the tutor providing tuition to the victim.

Petitioner’s counsel submits that even as per allegation no rape has been committed. The petitioner is also young aged about 19 years and has been falsely implicated though he is a



genuine student. He is in custody since 14.08.2020.

The learned counsel for the informant and APP have opposed the prayer for bail. It is submitted that the allegations are of such nature against the victim that he does not deserves the privilege of bail.

On going through the same and considering the submissions of the parties, the Court, for the present, is not inclined to extend the benefit of bail to the petitioner.

Accordingly, the prayer for bail made on behalf of the petitioner stands rejected.

(Madhuresh Prasad, J)

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