

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1741 of 2021

Arising Out of PS. Case No.-377 Year-2020 Thana- KOILWAR District- Bhojpur

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MANTU CHAUDHARY SON OF PREMCHAND CHAUDHARI
RESIDENT OF VILLAGE - SURAUNDHA COLONY, WARD NO. 12,
POLICE STATION - KOILWAR, DISTRICT - BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-03-2021 Heard both parties.

The petitioner seeks bail in Koilwar P.S. Case No. 377 of 2020 corresponding to POCSO Case No. 71 of 2020, registered for the offence punishable under Sections 458, 342, 363, 506, 354(B) of the Indian Penal Code.

As per the prosecution case, on 04.09.2020 at about 11.30, while the informant and family members were sleeping in their house, this petitioner jumped the boundary wall of the informant's house and locked the room of the informant from outside and entered into the room of his daughter who was sleeping with her grandmother and with bad intention grabbed the minor daughter in his lap and tried to flee away, but informant's daughter woke up and raised alarm. Thereafter,



petitioner fled away crossing the backyard boundary.

It is submitted on behalf of the petitioner that no such occurrence as alleged in the FIR has ever taken place and no offence under Section 8 of the POCSO Act and section 354B of the IPC is made out. In fact, both parties are next door neighbour and two to three days before there was hot talk between the parties and due to which this false case has been lodged. Petitioner is in custody since 06.09.2020 and bears clean antecedent. Chargesheet has already been submitted.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge VI, Bhojpur at Ara in connection with Koilwar P.S. Case No. 377 of 2020 corresponding to POCSO Case No. 71 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be



cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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