

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4170 of 2021**

Arising Out of PS. Case No.-506 Year-2019 Thana- NATHNAGAR District- Bhagalpur

Ramesh Kumar aged about 22 years, Son of Suresh Kumar @ Sudhir Mandal
Resident of Village - Ajameripur, P.S.- Nath Nagar, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar

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

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3. 16-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Nath Nagar P.S. Case No. 506 of 2019, registered for the offence under Sections 341, 354(B) of the Indian Penal Code and Section 8 of POCSO Act.

As per the prosecution case, on 10.10.2019 at about 1 PM, when the informant (victim) was alone at her home, it is alleged that this petitioner entered into the house and on the point of pistol, tried to outrage her modesty.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case and falsity of the case is apparent from the fact that in the FIR, there is reference of fire-arm (Pistol), but in the statement recorded under Section 164 Cr.P.C. of the victim, she has not stated anything about the fire arm. Moreover, in the medical report, there is no mark of any injury on the body of informant and the doctor has assessed her



age between 17 to 19 years. Petitioner is in custody since 08.07.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts & circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge-cum-Special Judge, Bhagalpur in connection with Nath Nagar P.S. Case No. 506 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

(Prabhat Kumar Singh, J.)

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