

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2787 of 2021

Arising Out of PS. Case No.-76 Year-2020 Thana- KHARHAGPUR District- Munger

Prabhu Kumar S/o Prama Nand Bind @ Prama Bind R/o Village- Barui, P.S.-
Kharagpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 09-03-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Kharagpur P.S. Case No. 76 of 2020, registered for the offence under Sections 341, 323, 354(B), 448, 506/34 of the Indian Penal Code and Section 8 of POCSO Act.

As per the prosecution case, this petitioner is alleged to have entered into the house of the victim in late night, dragged her and tried to molest her. It is further alleged that when mother of the victim objected, this petitioner abused and assaulted her and when the villagers assembled there, the petitioner fled away.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case. In view of statement of the victim girl recorded under Section 164 Cr.P.C., only allegation against this petitioner is that this petitioner caught and dragged the victim by hand and thereafter, fled away. There is



no allegation of any sexual assault. Petitioner has got clean antecedent and he is in custody since 15.06.2020. Chargesheet has already been submitted.

Considering the nature of allegation, period of custody coupled with the fact that petitioner has got clean antecedent, the bail application of petitioner is allowed. Let the above named petitioner 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 learned Additional Sessions Judge IV cum Special Court (POCSO Act), Munger in connection with Kharagpur P.S. Case No. 76 of 2020, 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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