

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3438 of 2022

Arising Out of PS. Case No.-43 Year-2021 Thana- MAHILA P.S. District- Kaimur (Bhabua)

SURENDRA TURIYA S/O RAMDEWARI TURIYA R/o village- Saraki,
P.S.- Adhaura, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-07-2022 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends arrest in a case registered
for the offence punishable under sections 323/376 of the Indian
Penal Code and section 4 of the POCSO Act.

Prosecution case is that the petitioner committed
sexual assault on the complainant.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case due to old dispute. He submits that son of Kishundeo
Turiya, who is Sarhoo of the petitioner, had illicit relation with
the sister-in-law who had lodged Mahila Police Station Case
No. 53 of 2020 under sections 363/376 of the IPC and Rama
Turia is in custody. Said FIR was written by the petitioner



which infuriated the informant leading to the institution of this false. Besides this, police after investigation submitted final form and not sent up the petitioner for trial. However, differing with the same, Court below took cognizance of the offence against the petitioner.

Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned above 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 Additional Sessions Judge VI cum Special Judge, POCSO Act Kaimur at Bhabua in Mahila (Bhabua) Police Station Case No. 43 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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