

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9504 of 2022

Arising Out of PS. Case No.-284 Year-2020 Thana- EKANGARSARAI District- Nalanda

Puneet Kumar, Son of Sri Biren Ravidas, Resident of Village - Khagaria, P.s.-
Ekangarsarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 14-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Ekangarsarai P.S. Case No. 284 of 2020 registered for the alleged offences under Sections 341, 342, 323 354(B) and 504 of the Indian Penal Code and Section 8 and 10 of the POCSO Act.

As per prosecution case, while the minor informant was going somewhere in the evening of 07.10.2020, the petitioner forcibly held her and tried to take her away with bad intention. When the informant raised alarm, the petitioner left the informant and fled away from the spot.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case due to business rivalry between the father of the petitioner and father of the informant. The statement of the victim was recorded under Section 164 of Cr.P.C. and the said statement is completely different from the version made in the FIR. The informant has tried to improvise her statement and to make out a serious case against the petitioner. From the FIR, it is apparent that there is no specific allegation against the petitioner. The petitioner is in custody since 29.11.2021 and the charge-sheet has been submitted in this case. The petitioner is having clean antecedent.

Learned APP opposes the prayer for bail submitting that the petitioner tried to pull away the minor informant and witnesses in paragraphs 6, 7, 8 and 9 of the case diary have supported the prosecution case.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation against the petitioner along with his period of custody as well as submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional District and Sessions Judge-cum-Special Judge,



Nalanda, Bihar Sharif in connection with Ekangarsarai P.S. Case No. 284 of 2020, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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