

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15143 of 2022

Arising Out of PS. Case No.-238 Year-2021 Thana- KASHICHAK District- Nawada

ANIL RAJAK Son of Kedar Rajak Resident of Village and Post- Birnawa,
P.S.- Kashichak, District- Nawada, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Priyanka Singh
For the Opposite Party/s	:	Mr.Nawal Kishore Prasad
For the Informant/s	:	Mr. Sanjeev Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

12-07-2022

Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned APP for the State and learned counsel for the informant.

The petitioner has preferred this application for grant of regular bail in a case registered under Section 341, 354-B, 506 of the Indian Penal Code and Section 8, 9(f) and 12 of the POCSO Act 2012.

Allegation against the petitioner is that a girl aged about 14 years was molested by the petitioner who is Tola Sevak in Adarsh Middle Vidyalaya. Prior to the said occurrence the petitioner also caught hold of the victim from behind and started to molest her.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. The petitioner has clean antecedent as stated at para 3 of the bail petition. There is a delay of 15 days in lodging the F.I.R. as the incident took place on 11.11.2021, but the F.I.R. was lodged on 27.11.2021. The POCSO Act is not applicable in the case and no occurrence as alleged took place. The petitioner is in custody since 28.11.2021.

Learned A.P.P. for the State as well as learned counsel for the informant have opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-VI-cum-Special Judge, POCSO Act, Nawada, in connection with Kashichak P.S. Case No. 238 of 2021, with a condition that:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner will liable to be cancelled.

The application stands allowed.

Atul/-

(Chandra Prakash Singh, J)

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