

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31610 of 2021

Arising Out of PS. Case No.-151 Year-2018 Thana- PIPRAKOTHI District- East Champaran

SONA LAL @ SONA LAL KUMAR Son of Kunar Sahani Resident of
Village - Majhariya, P.S.- Pipra Kothi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-01-2022 Heard Mr. Madhurendra Kumar, learned
Advocate for the petitioner and Ms. Veena Kumari Jaiswal,
learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Pipara Kothi P.S. Case No. 151 of 2018 dated 26.07.2018 instituted for the offences under Sections 341, 323, 504, 506 and 34 of the Indian Penal Code and Sections 12, 18 of the POCSO Act.

The accusation against the petitioner is of having caught the prosecutrix by her hand and of dragging her inside the house when she had gone to bring her goat.

Learned counsel for the petitioner has submitted that the parties are neighbours and a false case has been instituted against him. The statement of the victim girl under Section 164 Cr.P.C. was recorded after 2½ years of the occurrence in which she has disclosed her age to be



14 years and has endorsed the statement made in the FIR.

Learned counsel for the petitioner has submitted that such statement may not be relied upon for the reason of the delay in recording of such statement. There was some dispute with respect to the goat having grazed the field of the petitioner. Such a trivial occurrence was given the colour of a serious criminal case.

Considering the afore-noted facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran at Motihari in connection with Pipara Kothi P.S. Case No. 151 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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