

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45918 of 2021**

Arising Out of PS. Case No.-99 Year-2020 Thana- INDUSTRIAL District- Bhagalpur

Bambam Kumar Son Of Dhaneshwar Mandal Resident Of Village- Nayatola
Meerachak, P.S.- Industrial Area, District- Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Narendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 05-01-2022 Heard the learned counsel for the petitioner and

the learned APP for the State through video conferencing.

The petitioner seeks bail in connection with
Industrial P. S. Case No.99 of 2020, instituted for the
offences under Sections 354(A)/ 354(B)/ 506/34 of the
Indian Penal Code and Section 8 of the POCSO Act.

The learned counsel for the petitioner submits that
the petitioner is in custody since 09.06.2021, he is a person
with clean antecedent and charge-sheet has been submitted
in the case.

The learned counsel for the petitioner submits that
from perusal of the allegation as alleged in the F.I.R., it
would manifest that the informant alleges that on



10.09.2020 at about 5 O' clock, she had gone to pluck lady finger behind B-teck school at Nayatola and on seeing her alone, the petitioner along with two other named accused persons came and pushed her in the field and started to strangle her neck and even tried to commit rape, but one lady came there hearing hulla and all the three accused persons fled away.

The learned counsel for the petitioner submits that the F.I.R. does not disclose the age of the informant. Further the age of the informant has been assessed to be more than 18 years. The allegation is concocted made only with a view to falsely implicate the petitioner and the allegation is of attempt to commit rape only. The learned counsel submits that the victim was known to the petitioner and other named accused persons and had gone to meet the petitioner, but was seen by a lady and thus, the present false case came to be instituted alleging attempt to commit rape.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody since 09.06.2021, he is a person with clean



antecedent and charge-sheet has been submitted in the case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Anand Kumar Singh, learned Exclusive Special Judge, POCSO Act-cum-Additional District and Sessions Judge-VI, Bhagalpur in connection with POCSO Case No.99 of 2020 arising out of Industrial P.S. Case No.99 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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