

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49790 of 2021**

Arising Out of PS. Case No.-26 Year-2021 Thana- GURARU District- Gaya

Shankar Dayal Singh @ Bhola Singh S/O Ramadhar Singh R/O Village-
Anantpur, P.S.- Guraru, District- Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 13-01-2022 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 376 and other ancillary sections of the Indian Penal Code and sections 8/12 of the POCSO Act.

As per the prosecution case, this petitioner is alleged to have attempted to establish physical relation with the 15 years old minor victim on the point of knife.

Learned counsel for the petitioner submits that no such incident has ever taken place, rather petitioner is the uncle of the victim and because of a dispute over partition of ancestral land, the instant false case has been lodged against the petitioner after delay of 12 days and there is no explanation of delay. Petitioner has claimed clean antecedent and he is in



custody since 28.2.2021.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, as named 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 VII cum Exclusive Special Judge, POCSO Act, Gaya in Guraru Police Station Case No. 26 of 2021/POCSO case No.42/2021.

(Prabhat Kumar Singh, J)

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