

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48285 of 2021

Arising Out of PS. Case No.-301 Year-2020 Thana- CHAINPUR District- Kaimur (Bhabua)

Shiolochan Sharma Son Of Shionath Sharma Resident Of Village - Dharhara
(Kotsa), P.S.- Durgawati, District - Kaimur At Bhabua.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-01-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in connection with Chainpur
P. S. Case No.301 of 2020, instituted for the offences under
Section 377 of the Indian Penal Code and Section 4/8 of the
POCSO Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 18.05.2021, he is a person with
clean antecedent, charge-sheet has been submitted in the case
and is aged about 65 years.

The learned counsel for the petitioner submits that the
informant in the F.I.R. alleges that his son (victim) aged about
09 years and his friend were enticed by the petitioner on the
pretext of repairing the cricket bat and thus the petitioner took



both the child inside the shop and after pulling down the shutter, committed unnatural sex with the victim which was photographed by the friend of the victim in his mobile.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case as there is no injury report on record nor statement of the victim was recorded under Section 164 of the Cr.P.C., nor the alleged video was handed over to the police for investigation.

At this stage, the learned counsel for the petitioner seeks permission to withdraw the present application with a liberty to the petitioner to renew his prayer for bail after framing of charge.

Permission is accorded.

Accordingly, the instant petition is dismissed as withdrawn with the liberty aforesaid.

(Satyavrat Verma, J)

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