

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49685 of 2021**

Arising Out of PS. Case No.-121 Year-2021 Thana- KUTUMBA District- Aurangabad

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DHIRAJ SHARMA S/o Ramjee Sharma Resident of Village - Basdiha Gopal,
P.S. - Kutumba, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
		Mr. Binod Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr. Choubey Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-04-2022 Heard learned Senior Counsel for the petitioner and
learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 504, 506, 354 of
the Indian Penal Code read with Section 8 of the Protection of
Children from Sexual Offenses Act, 2012.

Learned Senior Counsel for the petitioner submits that
the petitioner is in custody since 14.07.2021, is a person with
clean antecedent and charge-sheet has been submitted.

The informant alleges that on 10.07.2021 at 07:30
p.m. while the informant along with her niece was going to
attend the call of nature, she was intercepted by the petitioner



who attempted to outrage her modesty on which she raised alarm and when Vinod Singh came the petitioner fled away. It is further alleged that while fleeing the petitioner gave two-three slaps to the informant.

Learned Senior Counsel for the petitioner submits that petitioner has been falsely implicated in the present case as niece of the informant in her statement under Section 161 Cr.P.C. has stated that the informant was accompanying the petitioner which amply demonstrates that they were known to each other and when Vinod Singh saw her with the petitioner, she cooked up the present story. It is further submitted that though the informant alleges that she is minor, aged about 15 years, but her age, according to Annexure-2, (admit card of BSEB, Patna) is 17 years and odd. It is, thus, submitted that the informant on her own volition had accompanied the petitioner but later implicated him by alleging that he was trying to outrage the modesty.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 14.07.2021, is a person with clean antecedent and charge-sheet has been submitted, the petitioner, above named, is



directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kutumba P.S. Case No. 121 of 2021.

(Satyavrat Verma, J)

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