

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50069 of 2021

Arising Out of PS. Case No.-13 Year-2021 Thana- BANKA District- Banka

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MOHAN CHOUHAN Son of Rajendra Chauhan Resident of Village -
Shripur, P.S.- Barahat, District - Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anand Kishore Chaudhary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 354B and 34 of the Indian Penal Code and section 8 of the POCSO Act.

As per the prosecution case, the petitioner and one another forcibly took the 14 year old informant to the abandoned field, got her on the ground, however, seeing other persons coming that side it is stated that they escaped.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Even as per the FIR, the allegation is of having made an attempt to commit an offence. The petitioner is in custody since 6.1.2021 and has no criminal antecedent. Charge sheet has been submitted in the case.



Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR, the petitioner not having any criminal antecedent and having remained in custody for more than 1 year, the Court directs the petitioner to be enlarged on bail in connection with Banka (Barahat) P.S. Case no. 13 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI-cum-Special Judge (POCSO Act), Banka.

(Partha Sarthy, J)

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