

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51584 of 2021

Arising Out of PS. Case No.-63 Year-2021 Thana- KHAJANCHI HAT District- Purnia

1. BHAGELU @ BALLU @ BHALLU @ BHAGLU KUMAR MALLICK
Son of Late Ram Bilash Malik Resident of Village - Nandan Mirjapur, P.S.-
Bausi, District - Araria at present residing at Mohalla - New Sipahi Tola
Mata Chowk, P.S.- K. Hat, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 3 12-05-2022 Heard Mr. Ram Prawesh Kumar, learned counsel for
the petitioner and Mr. Rajendra Nath Jha, Additional Public
Prosecutor for the State.

Petitioner seeks regular bail in connection with K. Hat
PS Case No. 63/2021 giving rise to Special (POCSO) Case No.
13/2021 registered for the offence punishable under Sections
452, 341, 323, 354(A), 354(B), 324/34 of the IPC and Section
08 of the POCSO Act.

As per First Information Report, four miscreants
entered into the house of informant aged about 15 years and
outraged her modesty.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and from



perusal of the FIR, it would be evident that the allegation levelled against the accused persons are general and omnibus in nature. He further submits that both the parties are co-villagers and due to some village dispute between the villagers, the petitioner has been implicated in this case. It is also submitted that the statement of the victim girl was recorded under Section 164 CrPC wherein she has categorically stated that she did not identify the person as to who outraged her modesty. The petitioner is in custody since 21.01.2021 and the charge-sheet has been submitted in the matter.

Regards being had to the submissions made by the parties and taking into consideration the statement made by the victim girl recorded under Section 164 CrPC wherein she has not disclosed the name of the petitioner, petitioner is in custody since 21.01.2021 and the charge-sheet has been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, BHAGELU @ BALLU @ BHALLU @ BHAGLU KUMAR MALLICK be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge-cum-Special Judge (POCSO) Act, Purnea in connection with K. Hat



PS Case No. 63/2021 giving rise to Special (POCSO) Case No.
13/2021.

(Anil Kumar Sinha, J)

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