

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56585 of 2021

Arising Out of PS. Case No.-147 Year-2021 Thana- MAJHAULIA District- West Champaran

Allau Dewan @ Allauddin Dewan @ Elaudin Dewan Son of Mojahir Dewan
Resident of - Ward No.- 8, Parsa, P.S. - Manjhaulia, District - West
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-02-2022 Heard learned counsel for the petitioner and learned

A.P.P. Mr. Anand Mohan Prasad Mehta 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 regular bail in connection with
Manjhaulia P.S. Case No. 147 of 2021 instituted for the offences
under Sections 341, 323, 354, 354(B), 504, 506 and 34 of the
Indian Penal Code read with Sections 8 and 12 of the Pocso Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 2.8.2021, is a person with clean
antecedent and charge-sheet has been submitted and the
informant alleges that his minor daughter had gone to attend call
of nature when she was intercepted by this petitioner and Nanhu



Kumar, who tried to outrage her modesty on which the victim started screaming, thus, the accused tried to strangle her with clothes, but fled when the wife of the informant reached the place of occurrence and thereafter the victim was taken to hospital for treatment.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, the victim was in love with Nanhu Kumar and thus she did support the prosecution in her statement under section 161 of the Cr.P.C., where in she has stated that she was made to give statement on the pressure of her brother and father. The learned counsel further submits that in her statement under section 164 of the Cr.P.C. also the victim has not supported the prosecution case.

Learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted and the victim has not supported the prosecution case in her statement recorded under sections 161 and 164 of the Cr.P.C., let the petitioner above named be released on bail on furnishing bail bond of Rs.5,000/- (**Rupees Five Thousand**)



with two sureties of the like amount each to the satisfaction of
learned Special Judge Pocso cum ADJ-VI, West Champaran,
Bettiah, in connection with G.R. No. 1133 of 2021 arising out
of Manjhaulia P.S. Case No. 147 of 2021.

(Satyavrat Verma, J)

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