

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57491 of 2021**

Arising Out of PS. Case No.-112 Year-2021 Thana- BALRAMPUR District- Katihar

Kanhaiya Kumar Das @ Kanhaiya Kumar Son of Somu Das @ Shyam Lal
Das Resident of Village - Tikauri, P.S.- Balrampur, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Bhola Prasad,Adv.
For the Opposite Party/s :	Mr.Pranav Kumar,APP
	Mr.Upendra Kumar,Adv.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 24-03-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the
offence under Section 376 of the Indian Penal Code and Section
4 of the POCSO Act.

As per the prosecution case, this petitioner is said to
have attempted to commit rape with the minor daughter of the
informant.

It is submitted on behalf of petitioner that petitioner
has been falsely implicated in this case and F.I.R. has been
lodged after a delay of three days with due deliberation and
consultation. The doctor has not found any sign of rape on the
body of victim girl and assessed her age between 16 – 17 years.
Petitioner has got clean antecedent and he is in custody since
11.07.2021.



Learned counsel for the informant has opposed the bail petition and submitted that there is specific allegation against this petitioner, who is teacher of the victim, that he tried to commit rape with the minor girl.

Considering the period of custody and the fact that doctor has not found any sign of rape on the body of daughter of the informant, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge 7th, Katihar in connection with Balrampur P.S. Case No. 112 of 2021.

(Prabhat Kumar Singh, J)

anay/-

U		T	
---	--	---	--

