

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60214 of 2021**

Arising Out of PS. Case No.-97 Year-2021 Thana- KADAMKUAN District- Patna

CHHOTU SINGH Son of Gona Singh Resident of Derih Bhual, P.S.-  
Dariyapur, District- Saran, at present upadhya Lane, Lohanipur, P.S.-  
Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jyoti Prakash

For the Opposite Party/s : Mr.Dinesh Singh

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

5      20-09-2022                      Let the defect(s), as pointed out by the office, be  
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

The petitioner seeks bail in connection with  
Kadamkuan P.S. Case No. 97 of 2021 corresponding to Special  
(POCSO) Case No. 22 of 2021 registered for the offences  
punishable under Section 354B of the Indian Penal Code read  
with Section 8 of POCSO Act.

As per prosecution case, accusation against the  
petitioner, who is father of the victim girl, is that he made  
indecent behavior by forcibly began to undress the victim as a  
result of which victim raised alarm and the petitioner fled away.



Learned counsel for the petitioner submits that petitioner is in custody since 12.04.2021. Petitioner bears no criminal antecedent.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner. He has submitted that in the statement of victim under Section 164 of the Cr.P.C., she has clearly stated that his father has tried to commit indecent behavior with her and undressed her and made bad touch.

Considering the facts and circumstances of the case, nature of accusation against the petitioner, coupled with statement of victim under Section 164 of the Cr.P.C. and materials available on record, I am not inclined to grant bail to the present petitioner. Accordingly, prayer for bail of the present petitioner stands rejected.

However, learned trial court is directed to hear the case on day to day basis.

**(Alok Kumar Pandey, J)**

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