

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50777 of 2022

Arising Out of PS. Case No.-128 Year-2021 Thana- PATNA CITY CHOWK District- Patna

RAHUL KUMAR S/O SUSHIL KUMAR Resident of Santoshi Maa ki Gali,
P.S.- Chowk, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Narayan Singh

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 13-12-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered under section 354 read with 34 of the Indian Penal Code and sections 8 and 12 of the POCSO Act.

As per the prosecution case, the petitioner caught hold of the hand of the victim with the intent to outrage her modesty.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. The victim girl was a employee of the caterer and the petitioner was the owner of the canteen. Nothing has been recovered from the conscious possession of the petitioner. It has further been submitted that the re-statement of the victim recorded under section 161 of the Cr. P.C. does not corroborate the content of F.I.R. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.05.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Patna City Chowk P.S. Case No. 128 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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