

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70999 of 2021

Arising Out of PS. Case No.-135 Year-2021 Thana- GAURICHAK District- Patna

Rahul Kumar @ Krishna Kumar, Son Of Amlesh Kumar Singh Resident Of
Village - Alawalpur, P.S.- Gaurichak, District - Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Roy
For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 341,
323, 342, 504, 509, 506, 354, 354(B), 354(A) of the Indian
Penal Code and Sections 7 and 8 of the POCSO Act.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the informant alleges
that on the eve of Holi, when his daughter was returning back
from the house of Pintu Singh after playing Holi, she was
intercepted by the petitioner, who started teasing her by holding
her hand and even abused her and threatened her not to disclose
it to anyone. Thereafter, his daughter came to the house, but out
of fear did not disclose the said occurrence to any one. It is next



alleged that on 31.03.2021, again the petitioner came in the house of the informant and started misbehaving with his daughter and caught her. Thereafter, it is alleged that the daughter came inside the house and disclosed the occurrence to the informant on which they went to the house of the petitioner where petitioner threatened them by showing pistol.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that it absolute does not stand to reason that earlier when it is alleged that on the eve of Holi, the daughter of the informant was teased by the petitioner why she did not disclose. It is next submitted that the petitioner and the informant are co-villagers and are known to each other. It is further submitted that it absolutely does not stand to reason that the petitioner would come to the house of the informant and misbehave with his daughter outside the house when there are so many houses in and around the vicinity. It is next submitted that the father of the informant was a witness in Gaurichak P. S. Case No.191 of 2015 in which the petitioner and his family members were granted bail. It is next submitted that after grant of bail, the present false case came to be instituted.

The learned Additional Public Prosecutor opposes the



anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Gaurichak P. S. Case No.135 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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