

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15830 of 2023

Arising Out of PS. Case No.-81 Year-2022 Thana- MAHILA P.S. District- Saharsa

=====

DHARMENDRA KUMAR S/O SHANKAR SAH Resident of Village-
Durgapur, P.S.- Basnahi and District- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjeev Verma

For the Opposite Party/s : Mr.Binay Krishna

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed
by the petitioner instituted for the offence punishable under
Sections 341, 323, 354-C, 354-D, 504, 506/34 of the Indian
Penal Code, Section 3(i)(r)(s), 3(2)(va) of the SC & ST Act and
Section 8, 12 of POCSO Act..

As per allegation in the FIR, while the minor daughter
of the informant was returning to her house, accused persons
closed her mouth and dragged her towards bamboo cluster and
some of them started to make obscene video after put off her
clothes. On hulla being raised by the victim girl, nearby people
assembled there and accused persons fled away.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. Her statement was recorded u/s 164 Cr.P.C. wherein she has made specific allegation of trying to commit rape against co-accused Rupchand. She has not raised any finger against the petitioner for any offence. Petitioner has no criminal antecedent and he is languishing in judicial custody since 20.12.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI-cum-Special Judge (POCSO) Saharsa in connection with Mahila Saharsa P.S. Case No. 81 of 2022.

(Sunil Kumar Panwar, J)

sushma/-

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

