

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24721 of 2022

Arising Out of PS. Case No.-1194 Year-2021 Thana- KANKARBAG District- Patna

CHHOTE KUMAR Son of Ramjatan Singh Resident of Village - Mustafapur,
P.S.- Harnaut, Distt.- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajkumar Rajesh, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with Special (POCSO) Case No. 170 of
2021 arising out of Kankarbagh P.S. Case No. 1194
of 2021, for the offence registered under Sections
354, 354A and 354B of the Indian Penal Code and
Sections 8 and 12 of the POCSO Act.

The petitioner herein, who was working as
labour at the house of the informant, upon seeing
the victim girl, had caught hold of her and tried to
molest her, however, upon alarm being raised, her
family members reached at the spot and the



petitioner was caught.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 06.12.2021. The learned counsel for the petitioner has further submitted that the petitioner has been implicated falsely on account of oblique motive, however, considering the period of incarceration, a sympathetic view be taken.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the nature of allegation levelled, apart from the fact that the petitioner is having a clean antecedent and he is languishing in custody since more than one year, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named,



is directed to 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 Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Patna in connection with Kankarbagh P.S. Case No. 1194 of 2021 (Special POCSO Case No. 170/2021).

(Mohit Kumar Shah, J)

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