

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35730 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Shivam Kumar @ Kundan Kumar S/o- Munna Tanti Village- Shiv Nagar Ps-
Ramgarh Chowk Dist- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

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

3. The petitioner seeks regular bail in connection with
Lakhisarai (Ramgarh Chowk) P.S. Case No. 37 of 2023 dated
17.01.2023, lodged under Sections 341, 354, 354(A), 34 of the
Indian Penal Code read with Sections 8/18 of POCSO Act.

4. As per prosecution case, the allegation against the
present petitioner is to sexually harassed and assault the
daughter of informant who is alleged to be minor.

5. Learned counsel for the petitioner submits that
from the content of F.I.R. it transpires that the said occurrence
alleged to have taken place on 06.12.2022 whereas the said
F.I.R. has been lodged on 17.01.2023. He further submits that

antecedent of petitioner is clean, he is in custody since 18.04.2023 and chargesheet has already been submitted in this case. He also submits that the informant and petitioner's family are resident of same village and neighbourer and well known to each other. Due to petty disputes this case has arisen and after 14 days of alleged occurrence this F.I.R. has been lodged.

6. Learned counsel for the State opposes the prayer for bail but admits that F.I.R. has been lodged about huge delay.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Vith-cum-Special Judge POCSO Court, Lakhisarai in connection with Lakhisarai (Ramgarh Chowk) P.S. Case No. 37 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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