

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45064 of 2022

Arising Out of PS. Case No.-174 Year-2022 Thana- TAJPUR District- Samastipur

Kundan Kumar Singh Son Of Ram Pravesh Singh R/O Village- Reriyahi,
Halai, Tajpur, P.S.- Tajpur, District- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Adv
Mr. Arvind Kumar

For the Opposite Party/s : Mr. Shyam Kumar
Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Tajpur (Halai) P.S. Case No. 174 of 2022 registered under Sections 147, 148, 323, 379, 376, 511, 504, 506 and 34 of the Indian Penal Code and Sections 4, 6 and 8 of the POCSO Act.

Allegation against the petitioner and co-accused is that they outraged the modesty and ravished the minor daughter of the informant.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case due to litigating term



and there is a case and counter case between both the parties. It is further submitted that there is around 14 days delay in lodging the F.I.R. Similarly, situated other co-accused has already been granted anticipatory bail by this co-ordinate Bench of this Court. The petitioner is languishing in judicial custody since 31.05.2022.

The application for bail is vehemently opposed by learned APP for the State and submitted that the statement of victim was recorded under Section 164 of Cr.P.C., in which she supported the prosecution case.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Tajpur (Halai) P.S. Case No. 174 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI cum Special Court (POCSO), Samastipur.

(Sunil Kumar Panwar, J)

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