

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53612 of 2023**

Arising Out of PS. Case No.-289 Year-2022 Thana- BAUNSI District- Banka

Prahlad Das @ Prhalad Das Son Of Late Bhumeswar Das Resident Of  
Village Gorgamma, Police Station Bounsi, District Banka

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rina Kumari Wife of Balmiki Das Resident of vill - Gorgamma, P.S. -  
Bounsi, Distt. - Banka

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Mukherjee  
For the Opposite Party/s : Mr.Md. Matloob Rab

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      31-10-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376, 504 and 506 of the Indian Penal Code and Section 4 of the POCSO Act.

3. Allegation against the petitioner is that he tried to commit rape with the informant's daughter when she went to attend the call of nature.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to land dispute and village politics. It is further submitted from para-8 of this



petition that the informant and victim have been examined before trial court and during trial both of them have not supported the prosecution case and victim specifically stated that due to land dispute her mother lodged this false case against the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 16.12.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bounsi P.S. Case No. 289 of 2022 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-6-cum-Special Judge POCSO, Banka.

**(Sunil Kumar Panwar, J)**

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