

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67420 of 2021

Arising Out of PS. Case No.-13 Year-2021 Thana- FULKAHA District- Araria

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Dinesh Kumar @ Dinesh Hembram Son Of Pandu Hembram Resident Of
Village - Bhanghi, Ward No.- 11, P.S.- Fulkaha, District - Araria, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha

For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects, if any, within three weeks.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 354, 354A,
354B, 354C, 354D of the Indian Penal Code and Section 8 of
the POCSO Act.

Allegation against the petitioner is that he assaulted
the informant's daughter and also ill treated her in the way of
school.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He submits that no offence under POCSO Act is attributed
against the petitioner. He submits that occurrence took place on



26.12.2020 but the FIR has been lodged on 24.01.2021 after delay of 25 days without explaining any reasonable cause of delay. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is delay in lodging the FIR, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Special POCSO Case No. 03 of 2021 arising out of Fulkaha P.S. Case 13 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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