

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60275 of 2023**

Arising Out of PS. Case No.-369 Year-2023 Thana- GOVINDGANJ District- East
Champaran

=====

Rajesh Mishra @ Rajesh Misir S/O Late Chandrashekhar Mishra @
Chandrashekhar Misir R/O Village- Salaha, P.S- Govindganj, Distt.- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Rabindra Kumar

=====

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

3 06-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 377 of the Indian Penal
Code and Sections 4, 6 and 8 of the POCSO Act.

3. The allegation against the petitioner is of
committing unnatural offence with the son of the informant.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was not apprehended on spot.
Petitioner is the cousin of the informant and victim is said to be
nephew of the petitioner. There has been delay of six days in
lodging the FIR. The statement of the victim has been recorded



u/s 164 of the Cr.P.C., in which, he has not taken the name of the petitioner. There is no eye-witness of the alleged occurrence. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 29.06.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 6th Addl. Sessions Judge-cum-Spl. Judge, POCSO, Motihari at East Champaran in connection with Govindganj P.S. Case No. 369 of 2023.

(Sunil Kumar Panwar, J)

Arish/-

U		T	
---	--	---	--

