

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64343 of 2022

Arising Out of PS. Case No.-447 Year-2022 Thana- CHANPATIA District- West Champaran

Santosh Kumar S/O Tair Mahto R/O Village- Laxmipur Kaowaha P.S-
Sirishiya O.P, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 323, 354, 354A, 376 and 511 of the Indian Penal Code and Sections 8, 6 and 18 of POCSO Act.

According to prosecution case, there is allegation against the petitioner that he caught hold the hand of the informant and tried to outrage her modesty after entering into her house while she was alone in her home.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case due to village politics. He further submits that no such occurrence as alleged in the F.I.R. has



taken place.

The learned Additional Public Prosecutor for the State on the other hand on the basis of material available in the record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that the victim girl is minor and the statement of the victim girl was recorded under section 164 of the Cr.P.C., in which she has categorically stated that the petitioner has committed wrong with her.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Chanpatiya P.S. Case No. 447/2022, pending in the court of learned Additional Sessions Judge-6th-cum-Special Judge POCSO, West Champaran at Bettiah.

Prayer is refused.

(Rajesh Kumar Verma, J)

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