

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65094 of 2022

Arising Out of PS. Case No.-666 Year-2022 Thana- SHERGHATI District- Gaya

MUNNA SINGH Son of Kanhaiya Singh Resident of Village- Barma Thawan
Bigha, P.S.- Sherghati, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nand Kishore Prasad Sinha

For the Opposite Party/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-01-2023 Heard both sides.

The petitioner apprehends his arrest in connection with Sherghaty P.S. Case No.666 of 2022, registered for the offences punishable under Sections 448, 354(B), 342 of the Indian Penal Code, under Sections 8 and 10 of the POCSO Act as well as under Sections 3(i)(r)(s)(w)(i)/3(2)(va) of the SC/ST Act.

The prosecution case, in brief, is that on 31.07.2022 at 7.00 P.M., the victim was sitting in her house. At that time, the petitioner entered in to the house of the victim and caught her. He started pulling the victim towards *Aangan* with bad intention. When the victim girl protested, the petitioner pushed her on the ground. The victim girl raised alarm upon which the sister of the victim came there and she also raised alarm. Thereafter the father of the victim girl came there, but the petitioner fled away from



there.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got two criminal antecedents as stated in paragraph-3 of the bail application. It is further submitted that the date of birth of the victim is 01.01.2003, which shows that the victim was major on the date of occurrence, therefore, no case is made out under the provisions of POCSO Act.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the facts aforesaid, let petitioner, above named, 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 learned Special Judge, POCSO-cum-Additional Sessions Judge-VII, Gaya in connection with Sherghaty P.S. Case No.666 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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