

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73104 of 2022

Arising Out of PS. Case No.-356 Year-2022 Thana- KATEYA District- Gopalganj

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GULSAN RAM Son of Heera Ram R/v- Parsauni Khurd, P.S.- Kateya,
District- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra

For the Opposite Party/s : Mr.Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 342, 325, 307, 354, 354(B), 354(D), 509, 504, 506/34 of the Indian Penal Code and Sections 8, 10, 12 of the POCSO Act.

As per prosecution case, the informant stated that on the alleged date of occurrence, while the victim was going to Durga temple, in the meantime, the petitioner caught her behind and pressurize her to make physical relation. On screaming, the informant went there but other accused persons also came there and started abusing and assaulting them. It is further alleged that the petitioner always used to molest the informant's daughter while she was going for studying.

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 dirty village politics. From perusal of FIR as well as case diary, the victim did not allege about sexual relation made by the petitioner. There is no any independent witness who supports the prosecution case. It is further submitted that the injury sustained by injured are simple in nature. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 6.8.2022.

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

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 Kateya P.S. Case No. 356 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 District and Sessions Judge-VI-Cum- Special Judge, POCSO, Gopalganj.

(Sunil Kumar Panwar, J)

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