

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12046 of 2024

Arising Out of PS. Case No.-751 Year-2023 Thana- MANER District- Patna

Surendra Kumar, Male, aged about 45 years, Son of Sri Binda Rai, Resident of Village- Lodipur, P.S.- Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunit Kumar Srivastava, Advocate
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Maner P.S. Case No. 751 of 2023 pending in the Court of ADJ-VII-cum-Special Judge, POCSO, Patna registered for an offence punishable under Sections 354(B) of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per allegation in the FIR, on 19.10.2023 at 10 AM, accused Surendra Kumar lured the informant's 03 year old daughter by giving her biscuits and took her to his home. When the victim was heard crying, everyone ran to the accused's house, the accused had locked his door from inside. When the door did not open even after banging, the boy next door jumped



from the window and opened the door, then the informant and others saw that accused Surendra Kumar was kissing and licking his victim's daughter and the victim was crying. The informant and others together caught the accused and on calling number 112, the police came and the accused was handed over to the police

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. Petitioner is in custody since 20.10.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. From perusal of the first information report and impugned order dated 16.01.2024, it appears that this is a clear cut allegation against the petitioner for outraging the modesty and also sexually assaulting the three years minor daughter of the informant, in these circumstances, I am not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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