

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24925 of 2024**

Arising Out of PS. Case No.-4 Year-2021 Thana- SARAN COMPLAINT CASE District-  
Saran

Harendra Singh Son Of Late Jamadar Singh Resident Of Village - Bibipur,  
Police Station - Garkha, District - Saran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Salman Khan Son Of Abdul Said Resident Of Village - Kemaji Tola, P.S. -  
Chapra, District - Saran

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Mili Kumari, Adv.

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      24-04-2024                      Heard learned counsel for the petitioner and learned  
counsel for the State.

2. The petitioner apprehends his arrest in connection with  
POCSO Complaint Case No. 04 of 2021 registered under  
Sections 341, 377 of the Indian Penal Code and Sections 5 and 6  
of the POCSO Act.

3. It is alleged that while the complainant (O.P. NO. 2), who  
is a minor boy, was returning back after attending nature's call,  
co-accused Dharmendra Singh called him, upon that  
complainant went there and noticed that co-accused Arun Singh  
and Harendra Singh (petitioner) were taking liquor in a car and  
then co-accused Arun Singh offered liquor to the complainant  
and when complainant refused to take the same, co-accused



Dharmendra Kumar pointed pistol on his temple and thereafter, co-accused Dharmendra Kumar and Arun Singh committed unnatural offence with him.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case by the complainant on the instance of one Raju Singh. Further submission is that specific allegation of committing unnatural offence is against co-accused Dharmendra Kumar and Arun Singh. The petitioner is only alleged to be present at the place of occurrence and taking liquor in the car. It is next submitted that the petitioner is *Hawaldar* in Assam Rifles and on the date of alleged occurrence, he was posted at 04 Assam Rifles, Sinjol Post, Manipur. The petitioner has got no criminal antecedent.

5. Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI-cum-Exclusive Special Judge, POCSO, Saran at Chapra in connection with POCSO Complaint Case



No. 04 of 2021, subject to the conditions as laid down under  
Section 438(2) of the Cr. P.C.

**(Prabhat Kumar Singh, J)**

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