

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27926 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- SILAO District- Nalanda

Kalyan Sundaram Son Of Ramadhar Sharma Resident Of Village - Belkunda
Narayanpur, P.S. - Mahua, District - Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar
2. X Daughter Of Rajesh Kumar Rajak Resident Of Delhi, P.S. - Rohini Jail,
District - Delhi, At Present Reading In Class - Viii, In Sainik School,
Nanand ,P.S. - Silao , Dist.- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party	:	Mr. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 28-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Silao P.S. Case No. 48/2024 dated 26.02.2024 registered for the offence punishable u/s 354B and 506 of the Indian Penal Code, Sections 10 and 12 of the POCSO Act and Sections 3(1)(w), 3(2)(vii), 3(2)(va) of the SC/ST Act.

3. As per the prosecution case, the petitioner is alleged to have kept his hand on the shoulder and waist of the informant when she along with other girls went to take print out. Similarly



on the next day when the informant went to take print out, the petitioner forcibly caught hold of her hand and kissed her on the forehead. Further, the petitioner has threatened the informant and other girls that he would rape them and no one can do anything to him.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has submitted that it is strange that neither the parent of the informant nor any other girl studying in the school has come forward to support the prosecution story. Learned counsel has further submitted that no particular caste name has been called by the petitioner hence no case is made out under SC/ST Act. The petitioner has no concern with the alleged occurrence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 27.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court
concerned, Nalanda at Biharsharif in connection with Silao P.S.
Case No. 48/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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