

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29989 of 2024

Arising Out of PS. Case No.-399 Year-2018 Thana- DHANARUA District- Patna

Shishupal Prasad Son of late Kameshwar Prasad Resident of Village-Bans
Bigha, P.S- Dhanarua, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nageshwar Singh, Adv.
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 06-05-2024 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 Special Case No. 221 of 2018 arising out of Dhanarua P.S. Case No. 399 of 2018 dated 03.11.2018 registered for the offences punishable u/ss 342, 506, 376 and 511 of the Indian Penal Code and section 12 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have tried to commit rape on the minor daughter of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a delay of about two months in lodging the FIR. The petitioner is the cousin *Mama* of the victim and there is land



dispute between them. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the anticipatory bail application of the petitioner has already been rejected by the co-ordinate bench of this court vide order date 19.08.2019 passed in Cr. Misc. No. 34330 of 2019.

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, Patna in connection with Special Case No. 221 of 2018 arising out of Dhanarua P.S. Case No. 399 of 2018, with the condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

U		T	
---	--	---	--

