

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38114 of 2024**

Arising Out of PS. Case No.-585 Year-2023 Thana- GAYA KOTWALI District- Gaya

Lalan Prasad Prajapati @ Lalan Prasad Son of Late Ram Das Prajapati @
Ramdas Prasad Resident of Vilage- Powerganj, Bageshwari Road, P.S. -
Kotwali, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

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

ORAL ORDER

2 05-08-2024 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 POCSO Case arising out of Kotwali P.S. Case No. 585 of 2023 dated 28.09.2023 registered for the offences punishable u/ss 342, 354B, 376, 511 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused person are alleged to have attempted 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. Learned counsel has further submitted that the medical report also does not disclose any abnormal finding as stated in para 11 of the bail petition. The charge-sheet has been submitted



against the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. No case is made out u/s 376 read with section 511 of the Indian Penal Code against the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.09.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and further submitted that the petitioner tried to commit rape on the minor daughter of the informant.

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, Gaya in connection with POCSO Case arising out of Kotwali P.S. Case No. 585 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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