

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55884 of 2024

Arising Out of PS. Case No.-79 Year-2023 Thana- MAHILA P.S. District- Lakhisarai

Nagina Koda Son Of Tetar Koda Resident Of Village - Bangali Bandh
(KARMU Tola), P.S. - Piri Bazar, District - Lakhisarai

... .. Petitioner/S

Versus

1. The State of Bihar
2. Xxx Daughter of Virat Koda Resident of Village - Bangali Bandh, Post And
P.S. - Piri Bazar, District - Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Adv
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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

ORAL ORDER

2 20-08-2024 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 Lakhisarai Mahila P.S. Case No. 79 of 2023 dated 26.08.2023 registered for the offences punishable u/s 341, 354, 354A, 354B, 354C of the Indian Penal Code and Section 8/12 POCSO Act.

3. As per the prosecution case, when the informant was going to Bathan for giving meal to her grand mother, in the meantime, the petitioner came and caught hold of the hand of the informant with intent to commit rape.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The charge sheet has already been submitted. No case u/s 354 or 354B/354C is made out against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.08.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the victim is a minor girl.

6. Considering the aforesaid facts and circumstances of the case and the nature of allegation levelled against the petitioner 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, Lakhisarai in connection with Lakhisarai Mahila P.S. Case No. 79 of 2023, with a 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)

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