

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54361 of 2024

Arising Out of PS. Case No.-276 Year-2022 Thana- HILSA District- Nalanda

Kundan Pandit S/o Krishna Pandit R/o vill and Post - Domanahadar, P.S. -
Laxmipur Mednpur, Distt. - Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajay Kumar S/o Late Ajab Lal R/o vill - Bihari Road, Hilsa Deep Nagar,
P.S. - Hilsa, Distt. - Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 04-10-2024 Heard Mr. Birendra Kumar, learned counsel for the
petitioner and Mr. Anil Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
24.04.2022, in connection with POCSO Case No. 28 of 2024
arising out of Hilsa P.S. Case No. 276 of 2022, F.I.R. dated
20.04.2022 registered for the offences punishable under
Sections 363, 365 of the Indian Penal Code and later on
Sections 302, 201, 364(A), 377, 34, 120(B) of the Indian Penal
Code and Sections 4/6 of the POCSO Act.

3. Earlier the bail petition of the petitioner was
rejected vide order dated 10.05.2023 passed in Cr. Misc. No.



13463 of 2023.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused person namely Niranjana Pandit who has been granted bail by a Coordinate Bench of this Court and the case of the petitioner is of similar footing. It appears from the confessional statement of co-accused person namely Niranjana Pandit which has been recorded in paragraph-38 of the case diary which suggests that the case of the petitioner is not on similar footing.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts as well as the allegation as alleged in the F.I.R. and the evidence concluded during investigation, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No. 28 of 2024 arising out of Hilsa P.S. Case No. 276 of 2022 pending in the Court of learned Additional District & Sessions Judge-VIIIth-cum-Special



Judge POCSO, Bihar Sharif, Nalanda.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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