

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61322 of 2024**

Arising Out of PS. Case No.-196 Year-2023 Thana- LALGANJ District- Vaishali

Chhotu Kumar S/o- Upendra Bhagat @ Upendara Bhagat Village- Saidanpur  
PS-Lalganj District- Vaishali Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanju Devi Wife of Sagar Bhagat Village- Saidanpur, Ps- Lalganj, Dist- Vaishali

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Rupa Kumari, Adv.

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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

ORAL ORDER

2      10-09-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Lalganj P.S. Case No. 196 of 2023 dated 12.05.2023 registered for the offences punishable under Sections 376 and 511 of the Indian Penal Code and Section 8, 12 and 18 of POCSO Act.

3. As per the prosecution case, it is alleged that the petitioner caught hold of the hand of the informant's daughter and took her to Dalan. There, the petitioner allegedly attempted to remove her cloth with the intention of committing an immoral act and there was scuffle between them. Upon hearing the



daughter's cries for help, the informant and other people arrived at the scene. On seeing them, the petitioner fled from the spot.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has further submitted that the petitioner and the victim are own cousin brother and sister and in such condition it is quite unbelievable that such a heinous crime could be committed by the petitioner. Learned counsel for the petitioner has submitted that the charge-sheet has been submitted against the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.05.2023.

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

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of offence against the petitioner, this court is not inclined to grant bail to the petitioner and the same is rejected in connection with Lalganj P.S. Case No. 196 of 2023, pending in the Court of learned Additional District & Sessions Judge-Vith-cum-Special Judge, POCSO, Vaishali at Hajipur.



7. Accordingly, this application stands rejected.

**(Chandra Prakash Singh, J)**

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