

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69750 of 2023

Arising Out of PS. Case No.-388 Year-2023 Thana- SABAUR District- Bhagalpur

Swabhiman Kumar S/O Pramod Kumar Singh R/O Village-Arya Tola Sabour,
P.S.- Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Anand, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sabour P.S. Case No.388 of 2023 registered under Sections 341, 323, 354(B), 506/34 of the I.P.C. and Section 8 of the POCSO Act.

3. As per prosecution case, it is alleged that while the daughter of the informant was alone in her house, the petitioner entered the house and started harassing her (victim) and tried to commit rape with the victim.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner is a student and he was giving tuition to the victim. Six months' tuition fee was not paid to the petitioner by



informant. When petitioner demanded the fee, the informant abused him and lodged a false case against him. He further submits that there are material contradictions in the statements of the victim recorded under Sections 161 and 164 Cr.P.C. The petitioner has no criminal antecedent and is in custody since 19.07.2023.

5. Learned A.P.P. opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case, submissions of the parties as well as the period of custody, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of A.D.J. 6th-cum-Special Judge, Bhagalpur in connection with Sabour P.S. Case No.388 of 2023 (POCSO Case No.164 of 2023).

(Sunil Dutta Mishra, J)

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