

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73746 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- MAHILA P.S. District- Kaimur (Bhabua)

Sonu Singh S/o- Sanjay Singh Resident of Marichaon P.S-Bhabua, Dist- Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Kumari W/o- Ramanand Gupta Village- Akarhi Malla Ps- Durgawati ,Dist- Kaimur at Bhabut A/P- VIP Colony W.No-2, Galli-3, Bhabua Ps- Bhabua Dist- Kaimur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-11-2024 Heard Mr. Pawan Kumar Singh, learned counsel for the petitioner and Mr. Jitendra Kumar Singh, learned A.P.P. appearing on behalf of the State.

2. The petitioner seeks bail, who is in custody since 18.07.2024, in connection with Mahila (Bhabua) P.S. Case No. 03 of 2024, FIR dated 18.01.2024 registered for the offence under Sections 354, 34 and 366A of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per the prosecution case, when the informant/victim was returning to her house, in the meantime, a car stopped in front of her and three accused persons along with petitioner came out of that car and forced her to sit on the car.



The petitioner is said to have molested the informant/victim and threatened her to kill if she discloses the occurrence to anyone.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that the date of occurrence as alleged in the FIR is 17.01.2024 but the present FIR has been instituted on 18.01.2024. The petitioner is rotting in judicial custody since 18.07.2024.

5. Learned A.P.P. for the State, on the other hand, on the basis of the materials available on the record in the case diary has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Section 164 Cr.P.C. in which she has categorically stated that petitioner was also involved in the present crime in question. He further submits that from a bare perusal of the statement of the victim recorded under Section 164 Cr.P.C. it appears that there is direct and specific allegation against the petitioner and apart from that the petitioner carries one more case other than the present one but fairly submits on



the basis of the para-3 of the bail application that the petitioner is on bail in the pending matter.

6. Considering the nature of the allegation as alleged in the FIR supported by the statement of the victim under Section 164 Cr.P.C., I am not inclined to enlarge the petitioner on bail in connection with Mahila (Bhabua) P.S. Case No. 03 of 2024 pending in the Court of learned Special Judge POCSO Act Cum A.D.J. VI, Kaimur at Bhabua.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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