

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85272 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- MAHILA P.S. District- Patna

Sanju Kumar Mali @ Sanjeev Prasad Malakar Son of Late Dharmnath Mali
R/o Samppat Chak, P.S. - Gopalpur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Singh

For the Opposite Party/s : Mr. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for regular bail has been filed by the petitioner registered for the offence punishable under Sections 343, 354(A), 376, 511 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per allegation in the FIR, while the minor daughter of the informant was alone at her house, petitioner forcibly entered into her house and tried to commit rape. It is further stated that due to timely arrival of the informant, modesty of the victim girl was saved.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Statement of the victim girl recorded u/s



164 Cr.P.C. has not supported the prosecution story. Petitioner has not committed rape with the victim girl. Petitioner is languishing in judicial custody since 17.6.2023.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that victim has taken the name of the petitioner in her statement recorded u/s 161 Cr.P.C..

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI-cum-Special Judge POCSO, Patna in connection with Mahila P.S. Case No. 57 of 2023.

(Sunil Kumar Panwar, J)

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