

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76077 of 2024

Arising Out of PS. Case No.-370 Year-2023 Thana- GAYA MUFASIL District- Gaya

Prince Kumar Son of Baishakhi Chaudhary @ Rampyare Chaudhary R/O
Vil.- Manpur Mallah Toli, P.S.- Mufassil, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Kumari D/O Ramesh Sharma R/O Village- Sohaipur, P.S.- Mufassil,
District- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Gaya Muffasil P.S. Case No. 370 of 2023 registered for the offence punishable under Section 376 of the Indian Penal Code and Section 4 of the POCSO Act.

3. The case of the prosecution is that on 28.03.2023, a teacher of the school of the informant called her at Bhusunda More. When she went there, Prince Kumar was already there on a bike. He took her to her house, nobody was there. It is further alleged that he established physical relationship with the informant. When she started crying, he dropped her to her house



by an Auto.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. During course of the hearing, learned counsel for the petitioner has submitted that in trial, victim has given her evidence before the Court and in her evidence, she has turned hostile. She has stated that this case was filed by his father and she has also stated that she was not going to school. She has gone to her Aunt's house without telling anybody due to which her parents have filed the case. From the evidence of the informant, it is apparent that the F.I.R. stands falsified. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 30.05.2023.

5. The application for bail is opposed by learned APP for the State.

6. 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 of POCSO
Act, Gaya in connection with Gaya Muffasil P.S. Case No. 370
of 2023.

(Ashok Kumar Pandey, J)

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