

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54894 of 2016

Arising Out of PS.Case No. -107 Year- 2016 Thana -MAHILA P.S. District- MUZAFFARPUR

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Prem Kumar S/o Sri Ram Chandra Sah @ Ram Chandra Prasad Resident of
Mohalla- Akharaghat, in front of Krishna Talkies, P.S.- Town, District-
Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Mahila P.S. Case No. 107 of 2016 for the offences instituted
under Sections 354, 354(B) of the Indian Penal Code and Section
8, 18 of POCSO Act.

The allegation against the petitioner is of outraging the
modesty of the informant.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has been made accused due to mistake of fact.
Subsequently, a petition has been filed on behalf of the informant



stating that the case has been instituted due to mistake of fact. The same is Annexure-2 to the present application.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Mahila P.S. Case No. 107 of 2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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