

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28005 of 2017

Arising Out of PS.Case No. -65 Year- 2017 Thana -KANTI THARMAL POWER District-
MUZAFFARPUR

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1. Balendra Singh @ Sujeet Kumar Son of Ram Nihora Singh
2. Ram Nihora Singh, S/o Late Mathura Singh, Both Resident of Village-
Sain Rajput Tola, P.S.- Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 20-09-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Kanti Police Station Case No. 65 of 2017, disclosing offences under Sections 341, 342, 323, 504, 506, 379, 295(A), 429, 354(B)/34 of the Indian Penal Code and read with under Sections 8, 12 of the POCSO Act along with Section 11(Cha)(Tha) of Prevention of Cruelty of Animal Act 1960.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has not committed any offence. In fact, the alleged occurrence is of 19.02.2017 whereas the First Information Report has been lodged on 26.02.2013 after lapse of



seven days without explaining plausible delay, which itself creates doubt on the prosecution version. Earlier also the petitioner No.1 filed a complaint against informant's husband and others before S.D.J.M. Moreover, there is no medical report available on the record to support the prosecution version. Hence, the petitioners deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Session Judge-cum- Special Judge, POCSO Act, Muzaffarpur, in connection with Kanti Police Station Case No. 65 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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