

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2082 of 2018

Arising Out of PS. Case No.-96 Year-2017 Thana- DIGHALBANK District- Kishanganj

=====

Shashi Mohan Singh, S/o- Nemlal Singh @ Neemlal Ganesh Resident of
Village-Dahibhat Kala, P.S.-Dighalbank, District-Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha
For the Opposite Party/s : Mr. UMANATH MISHRA

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-01-2018 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 376/511 and 201/34 of the IPC and Sections 8 and 12 of the Protection of Children from Sexual Offences Act.

The prosecution case is that on 12.08.2017 at 7 PM, co-accused Md. Alam took the seven years old daughter of the informant Suneda inside the shop and attempted to ravish her and when the victim raised alarm, the co-accused Md. Alam left her. The occurrence was seen by two children, who disclosed about the occurrence to the father of the victim on 12.09.2017, thereafter, the matter was taken to the village Panchayat where



the petitioner being the Sarpanch and other panchayat representatives tried to hush of the matter and pressurized the informant to compromise the case. Thereafter, the present case has been lodged on 13.10.2017.

It is submitted by learned counsel for the petitioner that thrust of accusation is against Md. Alam. The accusation against the petitioner is of hushing of the matter. For the occurrence of 12.08.2017, the FIR was lodged on 13.10.2017, but there is no explanation to such delay. There is nothing on record that any panchayati was held before lodging of the present case. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the accusation against the petitioner is of making an attempt to hush of the matter.

Considering the thrust of accusation against co-accused Md. Alam and the petitioner having no criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Dighalbank Case No. 96 of 2017, in connection with learned Special Judge (POCSO



Act), Kishanganj subject to the condition as laid down under
Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

