

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69802 of 2018

Arising Out of PS. Case No.-163 Year-2016 Thana- SALIMPUR District- Patna

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Dharmendra Kumar, Son of Amresh Singh @ Umraresh Singh, Resident of
Village-Rupas Mahaji, P.S. Salimpur, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Opposite Party/s : Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 354(A) and 354(B)
of the Indian Penal Code and Sections 8/10 of POSCO Act.

The prosecution case as per the written report of Raj
Kumar Singh, submitted to the SHO, Salimpur P.S. is to the
effect that on 28.12.2016 at 06.10 P.M., the petitioner by
holding the hand, took the eight years old daughter of the
informant namely Jogan Kumari to his room with bad intention
amd on alarm being raised when the neighbour came, the
accused person escaped from the scene.

It is submitted by learned counsel for the petitioner that the
FIR has been lodged with delay of 24 hours. A statement has



been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent and it is further submitted that no case under POSCO Act is made out.

It is submitted by learned APP for the State that there is specific accusation against the petitioner.

Considering the fact that the accusation, prima facie, does not come within the purview of Sections 8/10 of the POSCO Act, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **1st Additional Session Judge, Patna** in connection with **Salimpur P.S. Case No. 163 of 2016**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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