

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46303 of 2017

Arising Out of PS. Case No.-249 Year-2017 Thana- PIRBAHOR District- Patna

Suraj Kumar, Son of Late Vinay Ram @ Late Vinay Das, R/o Mohalla- Pakka
Kuan, Bhanwar Pokhar, P.S.- Pirbahore, District- Patna Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Choudhary Shyam Nandan
Mr. Ravi Shanker Pankaj
For the Opposite Party/s : Ms. ANITA KUMARI

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 04-01-2018 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of
Pirbahore Police Station Case No. 249 of 2017, disclosing
offences under Sections 363 and 366A of the Indian Penal Code.

I have perused the case diary, which had been called for.

The Police, on completion of investigation, have submitted
charge sheet against the petitioner and other co-accused for the
offences punishable under Section 363 and 366A of the Indian
Penal Code and Section 4/8 of the Protection of Children from
Sexual Offences Act, 2012.

On perusal of the case diary, I find that there is absolutely
no material to suggest constitution of offence punishable under
Section 4 and 8 of the Protection of Children from Sexual
Offences Act, 2012 inasmuch as there is no allegation of any



sexual assault of any nature within the meaning of either Section 3 or Section 7 of the Protection of Children from Sexual Offences Act, 2012.

Considering the materials on record and, particularly, the statements of the victims, under Section 164 of the Code of Criminal Procedure, 1973, this application is allowed.

Let the petitioner, Suraj Kumar, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna, in connection with Pirbahore Police Station Case No. 249 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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