

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47314 of 2018

Arising Out of PS.Case No. -301 Year- 2016 Thana -MALSALAMI District- PATNA

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Chhotu Pandit @ Suraj Kumar, son of Umesh Giri, a resident of Mohalla-
Purbi Nand Gola, Police Station- Malsalami, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar, Advocate.

For the Opposite Party/s : Mr. Nand Kishore Pd., A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-08-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Special (POCSO)**

Case No. 176 of 2016 arising out of Malsalami P.S. Case No. 301 of
2016 instituted for the offence under Sections 354, 509/34 of the Indian
Penal Code and Section 8 of POCSO Act.

Counsel for the petitioner submits that in the written
report there is general and omnibus allegation that on the date of
occurrence while the daughter of informant Pooja Kumari aged about
14 years was going towards Bhathi Par to attend computer class along
with her friend Pushpa Kumari, petitioner along with Rohit Kumar
used indecent language. The daughter of the informant was caught hold
by the petitioner. She came to her house and narrated facts to the
informant. It has further been submitted that petitioner and informant
are neighbours. On the point of construction of a lane, hot discussion



had taken place in presence of several Mohalla people and at that time, the informant gave threat to the informant to teach lesson to him.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Special (POCSO) Case No. 176 of 2016 arising out of Malsalami P.S. Case No. 301 of 2016**, he shall be released on anticipatory bail 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, Patna**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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