

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59983 of 2018

Arising Out of PS. Case No.-53 Year-2018 Thana- SARMERA District- Nalanda

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Balmukund Kumar @ Abhishek Aman Son of Hariom Singh Village Bari
Malawan, P.S Sarmera, District Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Baljit Singh
For the Opposite Party/s : Mr. Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-11-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 307, 504(A)(B), 379, 506/34 of the Indian Penal Code and 8/12 POCSO Act.

The prosecution case, in brief, is that while the informant was going to shop to purchase household articles, the accused persons started to tease her. In consequence thereof, while she was returning, the accused persons tried to snap her photographs and on protest, she was assaulted by fist and slaps.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the



present case. The nature of injury is said to be simple. No offence u/S 307 of the Indian Penal Code is made out. General and omnibus allegation has been made against the petitioner. The alleged occurrence is said to have been taken place due to petty reason. So far offence under Sections 8/12 of POCSO Act is concerned, the same is alleged against co-accused namely, Rahul Kumar @ Lala.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Ist Additional District & Sessions Judge, Nalanda at Bihar Sharif in connection with Sarmera P.S. Case No. 53 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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