

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3889 of 2020

Arising Out of PS. Case No.-24 Year-2018 Thana- HABIBPUR District- Bhagalpur

1. DEEPAK TANTI @ DEEPAK KUMAR Son of Kallu Tanti Resident of Village - Jaralahi, P.S. - Mujahidpur, District - Bhagalpur.
2. Sintu Yadav @ Shintu Kumar @ Sintu Son of Late Naresh Yadav Resident of Village - Jaralahi, P.S. - Mujahidpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-01-2020 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Habibpur PS case no. 24 of 2018 registered for the offences punishable under Sections 376, 511, 354(B), 506, 323 of Indian Penal Code and Section 4 of POCSO Act.

The allegation is regarding the accused persons having attempted to rape the daughter of the complainant.

The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case and they are having clean antecedent. It is further submitted that police, after investigation, has found the case to be un-true and has submitted the final form, however, subsequently, the learned court



below has differed from the final form submitted by the police and taken cognizance of the offences alleged by the informant. It is thus submitted that *prima facie*, no case is made out as against the petitioners herein.

Having regard to the facts and circumstance of the case, considering the submissions made by the learned counsel for the petitioners coupled with the fact that the police, after investigation, has found the case to be un-true and has submitted the final form, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge I-cum-Special Judge (POCSO) Act, Bhagalpur in connection with Habibpur PS case no. 24 of 2018 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

rinkee/-

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

