

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13962 of 2020

Arising Out of PS. Case No.-381 Year-2019 Thana- PALIGANJ District- Patna

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GUNGUN KUMAR @ RAVIKANT SHARMA @ RAVIKANT KUMAR
Son of Shashi Kant Sharma Resident of Village- Khapura, P.S.- Paliganj,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Mistry

For the Opposite Party/s : Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section 354(B) of the Indian Penal Code and
4/8 POCSO Act.

Allegedly, while two nieces of informant went to bamboo
orchard to attend call of nature, the petitioner along with another
boy started to molest both the girls and on protest, tried to kill
them by pressing the neck.



Vide Annexure-1 to the present application, earlier prayer for anticipatory bail of the petitioner was rejected by a coordinate bench (then His Lordship was) of this court. This second anticipatory bail application has been filed on behalf of the petitioner on the ground that the informant has filed a petition (Annexure-3 to this application) in the court below in which he retracted from his earlier statement made in the FIR.

Considering the aforesaid facts and circumstances of the case, I am not inclined to interfere with the earlier order passed by a coordinate bench (the His Lordship was) of this court. Accordingly, the present application stands dismissed.

In case, the petitioner surrenders in the court below and seeks regular bail, the court below shall consider the regular bail application of the petitioner taking into account Annexure-3 to the present application by which, the informant has retracted from his earlier statement made in the FIR.

(Sudhir Singh, J)

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