

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14615 of 2020

Arising Out of PS. Case No.-201 Year-2019 Thana- BARACHATTI District- Gaya

SANTOSH KUMAR Son of Ram Sreshta Paswan Resident of Village-
Bhagwanpur Dadhiya, P.S.- Bochaha, District- Muzaffarpur, at present-
Assistant Sub Inspector, P.S.- Barachatti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. D.K.Sinha, Sr. Adv. Mr.Girish Chandra Jha, Adv.
For the Opposite Party/s :		Ms. Anita Kumari singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-09-2020 Heard Sri D.K.Sinha, the learned Senior
Advocate appearing for the petitioner and Ms.
Anita Kumari Singh, the learned APP for the State.

This is an application for grant of anticipatory
bail in connection with POCSO Case No. 50 of 2019
arising out of Barachatti P.S.Case No. 201 of 2019
registered for the offence punishable under
Sections 341, 323, 354(A), 504, 506 of the Indian
Penal Code and Sections 9(a)1 & 11, (1) 11 (iii) of
the POCSO Act, 2012.

The allegation against the petitioner is
regarding him pressuring the informant to give
statement before the learned court as per his
advice and also using filthy language and



misbehaving with the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that no offence, as alleged, has been committed by the petitioner herein inasmuch as it is apparent that the victim girl was in police custody and was being taken to the court, hence, the petitioner could not have dared to have engaged in such an act, as alleged, specially in presence of the police.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, prima facie, minuscule evidence appears to be present as against the petitioner herein, hence, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.



Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO Act, Gaya in connection with POCSO Case No. 50 of 2019 arising out of Barachatti P.S. Case No. 201 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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