

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20533 of 2020

Arising Out of PS. Case No.-58 Year-2020 Thana- JAKKANPUR District- Patna

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Akash Kumar Gupta @ Akash Gupta @ Rikky aged about 27 years son of
Anil Kumar Gupta, resident of village Chanpur Bela, PS- Jakkanpur, Dist-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Ansar Ul Haque

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 09-10-2020 The defect as pointed out by the office has already

been removed.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Jakkanpur P.S. Case No. 58 of 2020 registered for the offences
punishable under Sections 323,354B, 506/34 of the Indian
Penal Code and Section 8 of the POCSO Act.

The accusation against the petitioner is that he along
with his father made attempt to outrage the modesty of
informant's minor daughter.

Submission on behalf of the petitioner is that the
informant is own Aunt of the petitioner and as a matter of fact,



there is partition dispute between the family of petitioner as well as family of informant and prior to institution of the present case, Title Partition Suit no. 271 of 2017 was going on which is evident from perusal of Annexure- 2 to this petition. Learned counsel for the petitioner submits that on account of aforesaid partition dispute, the informant brought this false case with exaggerated story and as a matter of fact, no such occurrence as alleged in the written report of the informant did ever take place. Learned counsel further submits that the informant has come with absurd story because it is unbelievable that father and son would go to outrage the modesty of girl of their family.

On the other hand, learned Additional Public Prosecutor opposes the bail prayer of the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-I, Patna in Jakkanpur P.S. Case No. 58 of 2020 subject to condition as laid down under Section



438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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