

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21611 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- MAHILA P.S. District- Nalanda

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1. DHANANJAY KUMAR Son of Late Jagdish Singh Resident of Village - Jorarpur, Police Station - Harnaut, District - Nalanda.
 2. Munna Kumar Son of Ravindra Singh Resident of Village - Jorarpur, Police Station - Harnaut, District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Sinha 2

For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

6 23-12-2020 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Mahila P.S. Case No. 3 of 2020, disclosing offences punishable under Sections 354A/34 of the Indian Penal Code and Section 12 of the POCSO Act, 2012.

It is asserted in the application that petitioner Nos 1 and 2 are agnates. This is to be noted that this application to the extent it relates to petitioner no.2 has become infructuous he having been arrested during the pendency of the application. The order to this effect was passed in the present case on 08.12.2020.

Mr. Chakrapani, learned counsel appearing on behalf



of the petitioners has submitted that petitioner No.2 has been granted regular bail by the Court below, taking into account the prevailing dispute between the father-in-law of the informant and uncle of the petitioner No.1.

There is common allegation in the FIR against petitioners of having outraged the modesty of the informant's minor daughter.

Learned counsel appearing on behalf of petitioner No.1 has submitted that the allegation in the FIR does not inspire much confidence, particularly, in the background of prevailing dispute in relation to transfer of the part of plot of land by the father-in-law of the informant (the alleged victim grandfather) to the father and uncle of petitioner No.1.

Considering the nature of accusation emerging from the FIR, in my opinion, a case for grant of anticipatory bail is made out. This application is allowed.

Let the petitioner No. 1 above-named in the event of his arrest/surrender in the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Nalanda in Mahila P.S. Case No. 3 of 2020, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner No.1 shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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