

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5108 of 2020

Arising Out of PS. Case No.-50 Year-2019 Thana- MEHANDIA District- Jehanabad

Shiwam Kumar Son of Satyendra Sharma @ Satyendra Narayan Singh
Resident of Village-Usri Dih, P.S-Mehandia, District-Arwal, Shiwam Kumar
under guardianship of Suman Devi, Female, Age about-52, W/o Satyendra
Sharma @ Satyendra Narayan Singh, Village-Usri Dih, Usri, P.S-Mehandia,
District-Arwal, Bihar-804428.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arun Kumar
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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

ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Mehandia P.S. Case No. 50 of 2019 registered for the offences
punishable under Section 354-B of the Indian Penal Code and
Sections 8, 12 of POCSO Act.

The accusation against the petitioner is that he
misbehaved with minor daughter of informant but submission
on behalf of the petitioner is that a quarrel took place between
the informant's minor daughter and petitioner and subsequently,
after two days of the aforesaid quarrel, the informant lodged the
present case with exaggerated story. However, after sometime



when informant realized his fault, he entered into compromise which is evident from perusal of Annexure-2 to the petition.

No doubt, there is specific allegation of outraging the modesty of informant's minor daughter against the petitioner but petitioner appears to be a minor which is evident from perusal of this petition and moreover, both parties have settled their dispute amicably.

Therefore, 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 six 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) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st, Jehanabad in Mehandia P.S. Case No. 50 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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