

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86295 of 2019

Arising Out of PS. Case No.-1196 Year-2018 Thana- BIHTA District- Patna

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Buchu Yadav @ Buchchu Yadav @ Arvind Kumar @ Arvind Kumar Ray Son
of Binod Ray Resident of Village- Mishrichak Bangla Par, House No. -70,
Dherpurwa, Narayanapur, Maner, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bihta P.S. Case No. 1196 of 2018 registered for the
offences punishable under Sections 341, 354(kha), 34 of the
Indian Penal Code and Section 4/6 of POCSO Act.

The allegation against the petitioner is that the
petitioner alongwith other accused person tried to put the
informant on the motorcycle with an intention to outrage her
modesty.

Learned counsel appearing on behalf of petitioner
submits that petitioner alongwith other accused person has



falsely been implicated in this case due to political enmity and village politics inasmuch as both the parties are co-villagers. He further submits that from the perusal of the First Information Report offences under Section 4/6 of the POCSO Act and Section 354-B I.P.C. is not made out against this petitioner.

Referring to Annexure-3 learned counsel for the petitioner submits that similarly situated co-accused person has been granted bail by co-ordinate Bench of this Court in Cr. Misc. No. 58324 of 2019 vide order dated 16.09.2019.

Having heard learned counsel for the parties and taking into consideration the fact that both the parties are co-villagers and no offence under Section 4/6 of POCSO Act is made out upon bare perusal of the First Information Report and similarly circumstanced co-accused has been granted bail by co-ordinate Bench of this Court. I am inclined to grant anticipatory bail to the petitioner.

Accordingly, let the petitioner, above named, 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, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XI, Patna in connection with



Bihta P.S. Case No. 1196 of 2018, subject to the conditions as
laid down under Section 438(2) of Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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