

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 28654 of 2020**

Arising Out of PS. Case No.-54 Year-2019 Thana- MAHILA District- Munger

RAJA KUMAR @ RAJ KUAR Son of Vinodi Yadav Resident of Village -
Maipir Pahar, Taufir, P.S.- Muffasil, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s Deep Nishi, Rajesh Kr, Deep Anshuman, Advs
For the Opposite Party/s : Mr Vinod Shankar Modi, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 **11-01-2021** Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner apprehends arrest in connection with
Mahila Police Station (for brevity, *PS*) Case No 54 of 2019
instituted for the offence punishable under Sections 354A, 504,
506, 509/34 of Indian Penal Code and Section 8 of Protection of
Children from Sexual Offences Act.

First Information Report alleges that while the
informant (minor girl) was on her way for tuition, the petitioner
is alleged to have made some sexual coloured remarks leading
to lodging of the instant case.

Petitioner's counsel submits that the petitioner's
mother was earlier assaulted by the grand mother of the



informant in respect of which Mufassil PS Case No 188 of 2019 was registered against the prosecution party. Implication, in the instant case, is with the extraneous consideration of coercing withdrawal of the said case or to coerce the parties to come to term. The petitioner has no criminal antecedent and is apprehending his arrest under such circumstances.

This Court had earlier called for the case diary. The same has been received. Learned APP for the State has also made some submissions.

In the facts and circumstances of the case, prayer of petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the Court below, within four (04) weeks from today, he shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I, Munger in Mahila PS Case No 54 of 2019 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also



undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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