

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29489 of 2020

Arising Out of PS. Case No.-27 Year-2020 Thana- WAJIRGANJ District- Gaya

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RANJAN KUMAR Son of Lalan Singh Resident of Village- Baniyadih,
Police Station- Wazirganj and District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 01-02-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of POCSO Case No. 09 of 2020, arising out of Wazirganj Police Station Case No. 27 of 2020, disclosing offence under Sections 354-B/34 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

The allegation, as per the First Information Report, is that while the informant-victim had gone to attend the call of nature, the petitioner started teasing her and tried to outrage her modesty.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case with ulterior motive and from perusal of the statement of the informant-



victim, recorded under Section 164 of the Code of Criminal Procedure, 1973, it would be evident that the informant-victim has changed the version as mentioned in the First Information Report and has stated that the petitioner tried to forcibly put the informant-victim on his motorcycle. He next submits that there was love affair between the petitioner and the informant-victim and this fact has come to light in course of investigation, in paragraph 49 of the case diary.

On the other hand, learned Additional Public Prosecutor, referring to the case diary, submits that it has come, in course of investigation, that the informant-victim was having love affair with the petitioner and in her statement, recorded under Section 164 of the Code of Criminal Procedure, 1973, the informant-victim has disclosed her age as 17 years and has stated that the petitioner forced the informant-victim to sit on his motorcycle only.

After having heard learned Counsel for the parties concerned and taking into consideration the materials on record, particularly the statement of the informant-victim, recorded under Section 164 of the Code of Criminal Procedure, 1973, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.



Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 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 learned Special Judge, POCSO Act, Gaya, in connection with POCSO Case No. 09 of 2020, arising out of Wazirganj Police Station Case No. 27 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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