

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30491 of 2020

Arising Out of PS. Case No.-129 Year-2019 Thana- MANER District- Patna

ROUSHAN KUMAR Son of Ram Balak Singh Resident of Village -
Mohanpur, P.S. - Maner, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	M/s Vijay Anand Ram Ishwar Prasad, Advocates
For the Opposite Party/s	:	Mr. Rana Randhir Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 02-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Special Case No. 47 of 2019 registered for the offence under Sections 341, 354B, 504, 506/34 of the Indian Penal Code and Sections 8 and 12 of Protection of Children from Sexual Offences, Act.

As per allegation in the first information report, it is stated by the informant that the five named accused persons including the petitioner, herein, misbehaved with his daughter, while she is on way to her school and back.

It is submitted by the learned counsel for the



petitioner that the allegations as levelled in the first information report are false and incorrect so far as this petitioner is concerned. He has been falsely implicated in this case. Even from perusal of the first information report, the allegations are general and omnibus in nature. The allegations have not been supported in the statement under Section 164 of Cr.P.C.. The petitioner is a young student having no criminal antecedent. It is submitted that the petitioner is a differently abled person, who cannot move around without assistance of a tricycle.

Application of anticipatory bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and on perusal of the records, I find that not only there is direct allegation against the petitioner in the first information report but the same has been supported by the 15 year old minor daughter of the informant in her statement under Section 164 Cr.P.C., wherein she specifically takes the name of the petitioner besides others.

Thus, in the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on anticipatory bail and the same is rejected.

However, in view of the fact that the petitioner is a



differently abled person, in case the petitioner surrenders within a period of six weeks, the learned court below will consider the application for bail of the petitioner without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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