

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4998 of 2022

Arising Out of PS. Case No.-135 Year-2019 Thana- AGIAON BAZAR District- Bhojpur

1. Santu Kumar Son Of Bhola Yadav R/O Village- Pitro, P.S.- Agiaon Bazar, District- Bhojpur
2. Rakesh Kumar Son Of Manilal Singh Yadav @ Malay Yadav @ Malay Kumar R/O Village- Pitro, P.S.- Agiaon Bazar, District- Bhojpur
3. Manish Kumar Son Of Nageshwar Yadav R/O Village- Pitro, P.S.- Agiaon Bazar, District- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-08-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 323, 341, 354(B), 504/34 of the Indian Penal

Code and Section 8 of the Protection of Children From

Sexual Offences Act.

It is alleged against the petitioners that they

indecently touched the minor daughter of the informant

and when the victim objected, she was assaulted by the



accused persons.

It is submitted by learned counsel for the petitioners that petitioners have falsely been implicated in this case. For the alleged occurrence of 22.09.2019, the F.I.R has been registered on 26.09.2019. The independent witnesses have not supported the prosecution case. Moreover, the police after investigation submitted charge-sheet under Sections 354, 504/34 of the Indian Penal Code but differing with the final form, cognizance has been taken against the petitioners under Sections 323, 341, 354(B), 504/34 of the Indian Penal Code and Section 8 of the Protection of Children From Sexual Offences Act. It is also submitted that a compromise has also taken place between the parties. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

In the facts and circumstance of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of



four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, VI, Bhojpur at Ara in connection with POCSO Case No. 70 of 2019, arising out of Agiaon Bazar P.S. Case No. 135 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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