

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.31875 of 2021**

Arising Out of PS. Case No.-276 Year-2020 Thana- LAKHNAUR District- Madhubani

RAVINDRA KUMAR JHA @ TUTU JHA S/O SURYA NAND JHA @  
MANTOO JHA R/o- Lakhsaur, P.S.- Lakhsaur, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mithilesh Kumar Rai  
For the Opposite Party/s : Mr. Uday Chand Prasad

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
ORAL ORDER

2      15-02-2022                      Due to the third wave of COVID-19 Pandemic, the  
matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For  
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned  
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to  
remove the defects, as pointed out by the Office, within a period  
of four weeks after restoration of normalcy.

Further, learned counsel for the petitioner is permitted  
to make necessary correction in paragraph 1 of the application.

The petitioner is apprehending his arrest in a case  
registered under Sections 342, 354(b) and 379 of the Indian  
Penal Code and 8 of POCSO Act.



The prosecution allegation, in short, is that the petitioner entered the house of the informant and tried to outrage the modesty of the informant and when the family members came, the petitioner fled away.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. From perusal of Annexure-2, it is evident that the mother of the informant had issued a cheque in favour of the petitioner prior to the institution of the present case. The said cheque issued by the mother of the informant got bounced and the petitioner was demanding the money which was given to the family of the informant. To save the skin, the present false case has been instituted by the informant. From perusal of the order of the Sessions Court, it is evident that there is no evidence of sexual assault found in course of investigation.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

It is necessary to indicate here that this Court while considering the prayer made in the present anticipatory bail application has taken note of the exponential rise in number of



covid cases due to outbreak of third wave of Covid-19 pandemic. Further this Court can also not lose sight of the fact that the condition of jails is not conducive and suitable to the present situation which has arisen due to the sudden rise in covid cases.

Considering the aforesaid facts and circumstances, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bonds to the satisfaction of learned A.D.J.-II (POCSO Act), Madhubani in connection with Lakhnaur P.S. Case No. 276/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

**(Sudhir Singh, J)**

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