

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27649 of 2022**

Arising Out of PS. Case No.-8 Year-2022 Thana- ATHMALGOLA District- Patna

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Kundan Kumar Son Of Jawahar Ray Resident Of Village- Naya Tola  
Budhara, P.S- Athmalgola, Dist- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr. Anita Kumari Singh, Advocate  
For the Opposite Party : Mr. Mohammad Sufyan, APP

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

2      14-11-2022                      Heard learned counsel for the petitioner and learned  
counsel for the State.

Learned counsel for the petitioner is directed to remove  
the defect(s) as pointed out by the office within a period of four  
weeks.

The petitioner is apprehending his arrest in a case  
registered for the offence under Sections-354/354(A)/ 354(B),  
354(D)/34 of the Indian Penal Code and 8 of POCSO Act.

The prosecution allegation, in short, is that while the  
victim was returning her home from coaching centre, in the way, the  
accused persons followed her and started teasing her. The accused  
persons also tried to get the victim seated on the motorcycle

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 been made accused in the present case due to mistake of fact. For ulterior motive, the present case has been instituted. Except the offence relating to POCSO Act, rest of the offences are triable by Magistrate. The allegation levelled in the FIR is denied by the petitioner.

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

Considering the aforesaid facts and circumstances, let 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 furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each of the satisfaction of learned Additional Sessions Judge-VI, Patna in connection with Spl. (POCSO) Case No. 05 of 2022 arising out of Athmalgola P.S. Case No. 08 of 2022 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

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