

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50050 of 2022

Arising Out of PS. Case No.-323 Year-2021 Thana- CHOUTARWA District- West
Champaran

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Amit Kumar Singh Son of Kundan Singh Resident of Village - Chaubariya,
P.S.- Chautarwa, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 354 and 506 of the Indian Penal Code read with Section 8 of the POCSO Act.

Learned counsel for the petitioner submits that petitioner has antecedent of two cases but both the cases relate to same occurrence and the cases came to be instituted in view of the dispute between the elected Mukhiya and the defeated Mukhiya of the Panchayat and the informant alleges that his daughter aged about 17 years was studying in the coaching centre of the petitioner, further the petitioner on 24.10.2021



misbehaved and touched her inappropriately.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that the police after investigation submitted Final Form No. 66 of 2022 dated 17.02.2022 in favour of the petitioner but the learned trial court differing with the police report took cognizance of the offence against the petitioner. Learned counsel further submits that when one investigating agency after threadbare investigation found the petitioner innocent as no material transpired during the course of investigation connecting the petitioner with the offences then sending the petitioner to jail based on the same investigation, as the learned trial court has taken cognizance, would amount to travesty of justice.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chautarwa P.S. Case No. 323 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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