

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61150 of 2021

Arising Out of PS. Case No.-78 Year-2019 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. Satish Chaudhary S/O Ram Chandra Chaudhary R/O Village-Mathurapur (Tara), P.S-Kalyanpur, District-Samastipur.
 2. Jitendra Chaudhary S/O Ram Chandra Chaudhary R/O Village-Mathurapur (Tara), P.S-Kalyanpur, District-Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Kabita Kumari D/O Vinod Ray R/O Village-Mathurapur (Tara) Ward No.11, P.S-Kalyanpur, District-Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-05-2022 After some arguments, learned counsel for the petitioners seeks permission to withdraw this application against petitioner no. 2.

Permission is accorded.

This application is dismissed as withdrawn only against petitioner no. 2.

So far as petitioner no. 1 is concerned, the instant application for anticipatory bail has been filed by him apprehending his arrest in connection with Complaint Case No. 78 of 2019 instituted for the offence under Sections 323, 342, 354 and 504 of the Indian Penal Code and Section 8 of the



POCSO Act.

As per allegation in the FIR, when the complainant was alone at her house, accused Jitendra Chaudhary entered into her house and forcibly tore her cloth and tried to outrage her modesty. Her mother came there after hearing the screaming of her daughter then accused persons including petitioner Satish Chaudhary started to assault the complainant and her mother.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner Satish Chaudhary is innocent and has committed no offence. He has been falsely implicated in this case. General and omnibus allegations have been levelled against him. Specific allegation of outraging the modesty is against Jitendra Chaudhary. He has got no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner no. 1 on bail. The petitioner no. 1 (Satish Chaudhary) is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Complaint Case No. 78 of 2019, he will be enlarged on bail on furnishing



bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st, Samastipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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