

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2161 of 2023

Arising Out of PS. Case No.-123 Year-2019 Thana- HASPURA District- Aurangabad

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BIRENDRA SINGH @ BIRENDRA PRASAD Son of Raghubir Prasad
Resident of Village- Birhara, P.S.- Haspura in the District of Aurangabad (in
the FIR aged about 45 years)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-05-2023 Learned counsel for the petitioner filed a
supplementary affidavit in the present case on 03.05.2023.

Office is directed to find out and let it be kept on the
record.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 354A of the
Indian Penal Code and Section 8 of the POCSO Act pending in
the learned court below.

As per the prosecution case, the petitioner has
molested and removed the knickers of the minor girl aged about
8 years.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the police has filed final form against the petitioner which is enclosed in the supplementary affidavit but the learned Court below differ the final form and taken cognizance against the petitioner. He further submits that petitioner have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Haspura P.S. Case No.123/2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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