

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5108 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- DAWATH District- Rohtas

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PREM CHAND SAH @ PREM CHAND PRASAD @ SAGUN SAH Son of
Late Gulabi Sah Resident of Village- Kawai, P.S.- Dwath, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-02-2023 Heard both sides.

The petitioner apprehends his arrest in connection with Dawath P.S. Case No.217 of 2022, registered for the offences punishable under Section 376 of the Indian Penal Code and Sections 4/8 of the POCSO Act.

The allegation against the petitioner is that he is the owner of the marriage hall where F.I.R. named accused, Amish Kumar committed rape with the informant in a room.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that petitioner is not named in the FIR. Since petitioner is the owner of the marriage hall, therefore, he has also been made



accused in the present case. It is submitted that no specific overt act is alleged against the petitioner.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the facts aforesaid, let 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 enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII, Exclusive Special Court, POCSO Act, Rohtas (Sasaram) in connection with Dawath P.S. Case No.217 of 2022, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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