

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8732 of 2023

Arising Out of PS. Case No.-274 Year-2022 Thana- SOHSARAI District- Nalanda

Rocky Kumar Son Of Karu Mistry R/O Mohalla- Jalalpur, P.S.- Sohsarai,
District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioner and learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Sohsarai P.S. Case No. 274 of 2022 registered for the offences
punishable under Sections 341, 323, 354, 504, 506/34 of the
Indian Penal Code and section 8 and 12 of the POCSO Act.

As per the prosecution case, petitioner and other co-
accused persons tried to outrage the modesty of informant's
minor daughter and threatened her to defame in the society.

Learned counsel for the petitioner submitted that
petitioner has falsely been implicated in this case. It is further
submitted that no specific overt act has been attributed against
the petitioner. Petitioner and informant is next door neighbour



and there is delay of three days of filing of the FIR without explaining any reasonable cause of delay. It is further submitted that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the aforesaid facts and circumstance of the case, I am not inclined to grant privilege of anticipatory bail to the petitioner and accordingly, his prayer for anticipatory bail stands rejected.

However, if petitioner surrenders before the learned court below within a period of six weeks from today, and pray for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner, preferably, on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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