

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18985 of 2023

Arising Out of PS. Case No.-319 Year-2022 Thana- MOKAMAH District- Patna

RAJA BABU Son of Bipin Singh Resident of Village - Ganga Prasad,
Kanhaipur, P.S.- Mokama, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar, Adv Mr. Rahul Singh, Adv.
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary, APP. Mr. Uma Shankar, Adv. Mr. Prem Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
CAV ORDER

4 28-07-2023 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 354(D), 306 of the Indian Penal Code and Section 12 of POCSO Act.

3. Allegation against the accused persons including the petitioner and accused persons is that they used to follow the daughter of the informant when she used to go to her tuition. It is further alleged that on 13.10.2022, the accused Ankush Kumar repeated the same but seeing the informant, he fled away and later on, petitioner came to the informant and started scuffling with the informant. It is further alleged that being traumatized by these acts of the accused persons, the daughter of the victim committed



suicide.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that the deceased daughter of the informant has not committed suicide rather the matter is of honour killing and that too by the informant himself and now in order to save himself from the offences committed by the informant, the informant has concocted the story of suicide of his daughter. There is no specific overt act against the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that the daughter of the informant committed suicide due to stalking done by the petitioner's friend when she used to go to her coaching and when the informant forbade him from doing so, the petitioner along with other accused persons started scuffling with him.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, the above named petitioner, be released on bail, in the event of his arrest or



surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Mokama P.S. Case No. 319 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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