

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21171 of 2023

Arising Out of PS. Case No.-21 Year-2020 Thana- MAHILA PS District- Aurangabad

Raju Kumar Singh @ Raju Kumar, Son of Upendra Singh, Resident of
Village - Kunda, P.S. - Muffasil (Aurangabad), District - Aurangabad (Bihar)

... .. Petitioner

Versus

1. The State of Bihar
2. Munna Rajak, Son of Late Puran Ram, Resident of Village - Kunda, P.S. -
Muffasil (Aurangabad), District - Aurangabad

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehend his arrest in connection with Mahila P.S. Case No. 21 of 2020 registered for the offences punishable under Sections 341, 323, 354 (A), 504, 506 / 34 of the Indian Penal Code, Section 8 of the POCSO Act and Section 3(1) (r) (s) (w) (i) / 3 (2) (va) of SC/ST (POA) Act.

3. As per the prosecution case, the petitioner alongwith two others co-accused started dragging the niece of the informant with mala fide intention. On protest from the mother of the informant all the accused persons assaulted and abused her by caste name.



4. Learned counsel for the petitioner submits that petitioner is innocent, committed no offence and has falsely been implicated in this case. He further submits that on the previous date of the occurrence, the cow of the informant grazed the crop of the accused persons for which scuffle took place between the parties. Due to this reason false and concocted case has been lodged by the informant. He further submits that no occurrence as alleged in the F.I.R. has been taken place. Petitioner has no criminal antecedent. Similarly situated co-accused person, namely, Anuj Kumar @ Bablu Singh has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 03.07.2023 in Criminal Miscellaneous No. 16283 of 2023.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge – cum Special Exclusive



Judge (POCSO) Aurangabad, Bihar in connection with Mahila
P.S. Case No. 21 of 2020, subject to the conditions laid down
under Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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