

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38104 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- SHAHKUND District- Bhagalpur

SURAJ KUMAR @ SURAJ KUMAR YADAV SON OF PARMANAND
YADAV @ BULLO YADAV DARIYAPUR (NAGGAR), PS- SAJOUR,
DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar

For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 325, 354B, 504, 506, 34 of the Indian Penal Code and Section 8 of POCSO Act.

3. Allegedly, the petitioner and other co-accused molested the daughters of the informant. It is also alleged that the petitioner and other co-accused person assaulted the informant's side by means of several weapons.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the



petitioner. He further submits that there is no allegation of assault and molestation against the petitioner in her statement recorded u/s 164 of Cr.PC. He further submits that there is an admitted land dispute between the parties and a title suit no.147 of 2020, filed by the informant, is also pending between them. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is an admitted land dispute between the parties, let the above named petitioner, be released on bail, in the event of his/her 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 Shakund (Sajour) P.S. Case No.9 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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