

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43120 of 2023**

Arising Out of PS. Case No.-271 Year-2023 Thana- BRAHMPUR District- Buxar

Vijay Prakash Singh @ Bittu Singh Son Of Srikant Singh Resident Of Village
- Bedauli, P.S. - Brahmpur, Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Ram Naresh Ray

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 12-09-2023 Heard learned counsel for the petitioner, informant
and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 354(B), 506
of the Indian Penal Code and Section 8 of the POCSO Act.

3. Petitioner is said to have enticed the minor daughter
of the informant and established physical relation with her.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that occurrence took place on 12.12.2022 but
the FIR has been lodged on 13.05.2023 after delay of five
months without explaining any reasonable cause of delay. He
submits that the petitioner is co-villager of the informant and
due to some dispute, he has been falsely implicated in the
present case. He further submits that petitioner has no criminal



antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and learned counsel for the informant opposing the prayer for bail submit that the statement of the victim was recorded under Section 164 of the Cr.P.C. in which she has supported the prosecution case.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for grant of anticipatory bail is rejected in connection with Brahmpur (Chakki O.P.) P.S. Case No. 271 of 2023.

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

(Anjani Kumar Sharan, J)

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