

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55011 of 2023

Arising Out of PS. Case No.-104 Year-2023 Thana- CHAND District- Kaimur (Bhabua)

ARVIND MAURYA @ ARVIND KUMAR SINGH SON OF LATE
RADHEY MAURYA @ RADHESHYAM SINGH @ RADHESHYAM
KOIRI RESIDENT OF VILLAGE- SHIV, PS- CHAND, DISTT- KAIMUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Chandra Mohan Jha
For the Opposite Party/s :	Mr. Binay Krishna
	Mr. Tribhuvan Narayan
	Mr. Pawan Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 12-12-2023 Heard the parties.

2. The petitioner apprehends his arrest in connection with Chand P.S. Case No.104 of 2023, registered for the offence punishable under Sections 341, 323, 354 of the Indian Penal Code, Section 8 of POCSO Act, Sections 25(1-b)a, 26 of the Arms Act and Sections 3(i)(r)(s) of the SC and ST Act.

3. Allegedly, the petitioner was quarreling with Santosh Dhobi. The informant went to settle the matter, but the petitioner attempted to fire on her by an illegal arm. It is alleged that the petitioner always used to molest 10 years old daughter of the informant.

4. It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioner. He submits that the petitioner and informant are next door neighbour and the cattle which were tied in the mud hut sometimes used to come out or to stand in the street making obstruction to the petitioner's family and for that the request of the petitioner was never accepted by the other side which created the ground for their strained relationship. He further submits that the petitioner has not abused or humiliated the informant. He further submits that the age of the daughter of informant has been assessed between 18-20 years in her medical examination. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that as per the school certificate of the victim girl, she is a minor and she has also supported the prosecution case in her statement recorded u/s 164 of the Cr.PC.

6. Having regard to the facts and circumstances of the case as well as considering the statement of victim u/s 164 of Cr.PC, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby



rejected.

7. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day, in accordance with law, considering that the petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

