

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61044 of 2023

Arising Out of PS. Case No.-452 Year-2023 Thana- FATUA District- Patna

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1. Ankit Raj @ Ankit @ Chulbul Son Of Vinay Singh Resident Of Village-Dariyapur, Ps- Fatuha, Distt- Patna
 2. Abhishek Raj @ Abhishek Kumar Son Of Vinay Singh Resident Of Village-Dariyapur, Ps- Fatuha, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Singh
For the Opposite Party/s	:	Mr. Dilip Kumar No.1, A.P.P.
For the Informant	:	Mr. Kaushal Kishore

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-11-2023 Head Mr. Ranjan Kumar Singh, learned counsel for the petitioner and Mr. Dilip Kumar No. 1, learned APP for the State.

2. In compliance of order dated 13.10.2023, the Investigating Officer of the present case is physically present in this Court.

3. After some arguments, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner no. 1.

4. Permission is granted.

5. Accordingly, this application with regard to petitioner no. 1 is dismissed as withdrawn. However, if the



petitioner no. 1 surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

6. Now, this application is being heard only with regard to petitioner no. 2.

7. Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

8. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 341, 307, 354(B), 504/34 of the Indian Penal Code.

9. As per the prosecution case, the petitioners are said to have molested the daughter of the informant and forcibly dragged her out of the coaching class by holding her hand.

10. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner in the entire case diary. He further submits that the teacher, namely, Arvind Kumar, was present at the time of occurrence and he has not taken the name of the petitioner. Petitioner has no criminal



antecedent as mentioned in para-3 of this application.

11. Learned APP for the State as well as learned counsel for the informant opposed prayer for anticipatory bail.

12. Considering the facts and circumstances of the case, let the above named petitioner no. 2, 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 Fatuha P.S. Case No. 452 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

13. The personal appearance of the Investigation Officer of the present case stands dispensed with.

14. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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