

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73543 of 2022

Arising Out of PS. Case No.-235 Year-2018 Thana- SAHAR District- Bhojpur

1. CALACTAR YADAV @ AJAY YADAV S/O BISHWANATH YADAV R/O VILLAGE- BISANPURA, P.S.- SAHAR, DISTRICT- BHOJPUR
2. RAKESH YADAV S/O COLACTAR YADAV R/O VILLAGE- BISANPURA, P.S.- SAHAR, DISTRICT- BHOJPUR
3. RAVI RANJAN YADAV @ RAVI RANJAN SON OF COLACTAR YADAV @ AJAY YADAV R/O VILLAGE- BISANPURA, P.S.- SAHAR, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-06-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 354, 452, 302, 34 of the Indian Penal Code and Section 8 of the POCSO Act.

The informant alleges that on 28.10.2010, his minor daughter, aged about 15 years, had gone to ease herself along with her friend when petitioner No. 2 started misbehaving with his daughter on which Dolly raised alarm, it is next alleged that the accused persons came and started assaulting the victim and



thereafter, entered the house and killed his daughter by pressing her neck.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that police after investigation submitted the final form finding the case to be false but the learned Trial Court differing with the police report, took cognizance and thus petitioners apprehend their arrest. Learned counsel next submits that once an Investigating Agency, after threadbare investigation has come to a considered conclusion that the petitioners are innocent then merely because the learned Trial Court has differed with the police report and has taken cognizance and that is made a ground for sending the petitioners to jail would amount to travesty of justice. It is next submitted that the petitioners will not abscond rather will cooperate in the trial.

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

Considering the submission that the police after investigation found the case to be false against the petitioners, the petitioners above-named, in the event of their arrest or



surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sahar P.S. Case No. 235 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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