

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74078 of 2023

Arising Out of PS. Case No.-65 Year-2022 Thana- MAHILA P.S. District- Sheikhpura

RAKESH MANJHI @ RAKESH KUMAR Son of Khelawan Manjhi @ Ram
KhelaVan Manjhi Resident of Village - Mandra, Police Station- Sheikhpura
(Hathiyawan O.P.), District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-11-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Sheikhpura (Mahila) PS Case No. 65 of 2022 dated 16.10.2022 registered under Section 354(B), 341, 323, 504, 506, 34 of the I.P.C. and Section 12 of the POCSO Act.

3. As per the prosecution case lodged on 16/10/2022 by the informant it is alleged that on 05/10/2022 at about 2:00 P.M. the petitioner entered into the house of the informant, shut the door and tried to outrage the modesty of the informant and her daughter Shanti Kumari, aged about 14 years and upon protest the petitioner fled away.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated due to village rivalry and he has not committed any offence as alleged. He further submits that after investigation Police submitted charge sheet against the co-accused persons however the petitioner was exonerated as the case lodged against him has been found to be untrue. The petitioner was not sent up for trial as per the charge sheet. However, learned Special Court i.e. ADJ-VI, Sheikhpura differed with the police report and took cognizance against the petitioner under Section 354 of the I.P.C. and Section 12 of the POCSO Act.

5. Having heard learned counsel for the parties, taking into consideration the fact that after investigation police has found the case against the petitioner untrue and has not sent him for trial, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VI, Sheikhpura in connection with Sheikhpura (Mahila) P.S. Case No. 65 of



2022 subject to the condition as laid down under Section 438 (2)
of the Cr.P.C.

(Anil Kumar Sinha, J)

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