

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70638 of 2022

Arising Out of PS. Case No.-108 Year-2021 Thana- ASHTHAWAN District- Nalanda

SANTOSH KUMAR Son of Ram Lagan Paswan R/O Mohalla - Deshna, P.S.-
Asthawan, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad
For the Opposite Party/s : Mrs.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-05-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 342, 354A, 354B of the Indian Penal Code and u/s 8 of POCSO Act.

As per the prosecution case, this petitioner attempted to commit rape with the victim.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. FIR has been lodged after one day of the occurrence after due deliberation. Petitioner is a Government teacher in primary school, Sultanpur which is 28 km away from the place of occurrence and on the alleged date of occurrence petitioner was in the school. It is also submitted that the informant and the victim are indulged in the selling of illicit liquor and for that informant was remanded in



Asthawan PS case No. 117/ 2018 and he was under impression that this petitioner and Chowkidar were instrumental in the raid in his house and due to that grudge the informant has filed this false and concocted case. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI-cum- Special Judge, POCSO Act, Nalanda at Biharsharif in connection with Asthwan PS case No. 108/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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