

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74519 of 2022

Arising Out of PS. Case No.-389 Year-2022 Thana- RAFIGANJ District- Aurangabad

=====

ROHIT KUMAR S/O SURESH PRASAD SONI Resident of village- Raja Bagicha, P.S.- Rafiganj, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 07-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner, at the outset, seek permission to make rectification in the prayer portion of the anticipatory bail application.

Permission is accorded.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 506, 509 and 455 of the Indian Penal Code and under Section 8 of the POCSO Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and the informant alleges that she resides in a dilapidated home and earns her livelihood by doing tailoring and other works and belongs to *Lohar*



community, further the petitioner is illegally claiming the house of the informant for which a civil suit also has been filed being Title Suit No. 82 of 2021 in the Court of learned Sub-Judge, Aurangabad. It is next submitted that despite the title suit being filed, the petitioner along with accused persons used to threaten the informant to vacate the premises. Further, on 16.07.2022, when she had gone to the market, it is alleged that the petitioner along with four unknown accused entered the house and threatened her minor daughter aged about 17 years and even misbehaved and touched her inappropriately, further the victim was threatened that if the house is not vacated, they will be killed.

Learned counsel for the petitioner next submits that the petitioner has been falsely implicated in the present case, it is next submitted that it absolutely does not stand to reason that when already a title suit was pending in between the parties, where was the occasion for the petitioner to threaten the informant or the victim. It is further submitted that the present criminal case has been instituted only with a view to coerce the petitioner into submission so that he does not contest the title suit. It is also submitted that allegation is only of threatening and of misbehaving, but then in the nature of dispute the



allegation appears to be exaggerated.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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) 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 Rafiganj P.S. Case No. 389 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishabh/-

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

