

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76358 of 2023

Arising Out of PS. Case No.-366 Year-2022 Thana- PIRBAHOR District- Patna

MANJAY KUMAR Son of Bhrigun Rai R/o vill - Digha Polson Road, Near at
Ankur Public School, P.S. - Digha, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-12-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any,

within a period of three weeks from today.

2. Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in

connection with Special (POCSO) P.S Case No. 79 of 2022,

Pirbahore P.S. Case No. 366 of 2022 dated 23.06.2022

registered for the offence punishable u/ss 376, 511, 354 of

the Indian Penal Code and 6, 8, 12 of the POCSO Act.

4. As per the prosecution case, the

accused/petitioner is alleged to have molested and



attempted to commit rape on the informant's minor daughter.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that there is land dispute between the parties. Learned counsel further submitted that the this is hardly a case of molestation hence no case is made out against the petitioner u/s 376/511. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Patna in connection with (POCSO) P.S. Case No. 79 of 2022, Pirbahore P.S. Case No. 366 of 2022, subject to conditions as laid down under section 438(2) of



the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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