

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4709 of 2024

Arising Out of PS. Case No.-177 Year-2022 Thana- BEERPUR District- Begusarai

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Amit Kumar @ Amit Kumar Singh S/O Ram Pravesh Singh R/O Village-
Dihpar, P.S- Birpur, Distt.- Begusarai Posted On The Post Of Night Guard At
High Middle School, Dihpar, Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner as well as

learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
302 and 34 of the IPC read with Sections 4,6 and 21 of the
POCSO Act.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is posted as a
guard in the school in question where the occurrence is alleged
to have taken place.

4. It is next submitted that the petitioner came to be
implicated in Birpur P.S. Case No.177 of 2022 and from perusal
of the allegation as alleged in the FIR, it would manifest that the
minor daughter of the informant was found hanging in one of



the classrooms of the school as such, the informant based on suspicion implicated the petitioner along with others. It is next submitted that police after threadbare investigation came to a considered conclusion that petitioner is innocent and thus submitted Final Form No.102 of 2023 exonerating the petitioner of the allegations as alleged in the FIR, but the learned trial court in a mechanical manner proceeded to take cognizance. It is next submitted that similarly situated co-accused Kshama Kumari (Principal of the school) and Lalitesh Kumar Lalit @ Lalitesh Kumar @ Lalit (Teacher) of the school were granted the privilege of anticipatory bail by an order dated 31.01.2024 in Criminal Miscellaneous No. 1810 of 2024 and order dated 12.02.2024 in Cr. Misc. No.3234 of 2024.

5. The learned APP opposes the prayer for anticipatory bail.

6. 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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is



pending in connection with Birpur P.S. Case No.177 of 2022,
subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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