

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8576 of 2024

Arising Out of PS. Case No.-74 Year-2021 Thana- MAHILA P.S District- Supaul

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Rohit Mukhiya S/O Dinesh Mukhiya R/O P.S- Marauna, Dist.- Supaul.
... .. Petitioner/s

Versus

The State Of Bihar
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Patla Kumari
For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323, 341,
376, 511, 354B of the Indian Penal Code and Sections 4 and 6
of the POCSO Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and has been
falsely implicated in the instant case by the informant with an
allegation of attempt to rape. It is further submitted that police,
after threadbare investigation, came to a considered conclusion
that petitioner has been falsely implicated in the present case
and thus submitted Final Form Number 6/2022 dated 12-1-2022
exonerating the petitioner of the allegations as alleged in the
FIR. It is next submitted that the learned Magistrate differing
with the police report took cognizance, as such, petitioner



apprehends arrest. It is next submitted that since one investigating agency has found the petitioner innocent after threadbare investigation, whether it would be prudent for this court to send the petitioner to jail, who is a young boy aged about 22 years, based on cognizance. It is next submitted petitioner will cooperate in the trial.

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

5. 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 Supaul Mahila P.S. Case No. 74 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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