

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13619 of 2024

Arising Out of PS. Case No.-374 Year-2023 Thana- SAHEBGANJ District- Muzaffarpur

Makeshwar Singh S/O Late Vrijan Singh VILLAGE- MADHOPUR
HAZARI, PS.- SAHEBGANJ, DIST. MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Bijay Prakash Singh, Advocate
For the State	:	Ms. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 4 and 12 of the POCSO Act and Section 3(1)(r)(s) of the SC/ST (POA) Act.

3. As per prosecution case, on 26.08.2023 at about 6 PM, while the informant had gone to grocery shop of the petitioner, this petitioner assaulted her and attempted to commit physical assault. It is also alleged that this petitioner abused the informant by caste name.

4. It is submitted by learned counsel appearing on behalf of the petitioner that informant is co-villager of the



petitioner. Petitioner runs a grocery shop and due to demand of money, which was taken by the mother of the victim, this false and concocted case has been lodged. Petitioner is aged about 70 years and there is no possibility of commission of any occurrence as alleged against him. It is not the case of the prosecution that any member of public was present at the place of occurrence and as such, no offence under the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act is made out against this petitioner. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned Special Judge, POSCO Court – II, Civil Court, Muzaffarpur, Bihar, in connection with Sahebganj P.S.



Case No. 374 of 2023, subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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