

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.12406 of 2024

Arising Out of PS. Case No.-49 Year-2021 Thana- MAHILA PS District- Gaya

Bulbul Yadav @ Brajesh Kumar Sinha Son of Late Sanjay Singh Yadav @
Late Sanjay Kumar Sinha Resident of Mohalla- Street of Puna Sao Delha,
Police Station- Delha, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 14-03-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Gaya Mahila Police Station Case No. 49 of 2021, disclosing offences under Sections 354, 354(C), 354(D) of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.
3. As per the First Information Report, the petitioner was stalking/following the informant, aged about 17 years, while she was attending her coaching classes. It has further been alleged that the petitioner was pressurizing the informant to perform marriage with him and has also



taken a photograph of the informant without her permission and has uploaded the same in the social media platform. The petitioner is said to be 40 years of age.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to the fact that the marriage of the petitioner was fixed with the informant and the informant refused to marry with the petitioner. He further submits that Section 354, 354 (C) and 354(D) are bailable and Section 8 of the POCSO Act is not attracted on the basis of allegation made in the FIR.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that Sections 354, 354(C) and 354(D) are bailable and there is no allegation of sexual assault against the petitioner, accordingly, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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 POCSO
Court-Cum-Additional District and Sessions Judge VI,
Gaya, in connection with Gaya Mahila Police Station
Case No. 49 of 2021, subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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