

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24916 of 2024

Arising Out of PS. Case No.-418 Year-2023 Thana- GOVINDGANJ District- East
Champaran

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Vikash Kumar Son Of Ramnath Sahani Resident Of Village- Jitwarpur
Nayaka Tola, Ps- Govindpur, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 24-04-2024 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 354(B), 341, 323 of the Indian Penal Code and Section 8/18 of the Protection of Children from Sexual Offences Act.
3. As per the prosecution case, when the informant was alone in her house, this petitioner is alleged to have caught the informant and tried to sexually assault her.
4. It is submitted on behalf of the petitioner that he has falsely been implicated in this case due to petty dispute between the parties. F.I.R. has been lodged after delay of 12 days and there is no plausible explanation for the same, which itself creates doubt upon the veracity of the prosecution case. He



next submits that as a matter of fact, informant as filed an application before learned Special Judge, POCSO-1, Motihari in Govindganj P. S. Case No. 418/2023 to the effect that due to some altercation, out of revenge, she filed this case but she is not ready to proceed further and the matter has been compromised between the parties (Annexure-2 to the bail application).

5. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 6th Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari in connection with Govindganj P. S. Case No. 418 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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