

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27899 of 2024**

Arising Out of PS. Case No.-36 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Pawan Kumar @ Pawan Kumar Sah Son of Late Rameshwar Prasad @ Kranti  
Sah Resident of Village- Dighwa, P.S.- Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                    |   |                                   |
|--------------------|---|-----------------------------------|
| For the Petitioner | : | Mr. Prince Kumar Mishra, Advocate |
| For the State      | : | Mr. Shailendra Kumar, APP         |
| For the Informant  | : | Mr. Shashank Shekhar, Advocate    |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      10-07-2024                      Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 354, 323, 504 and 34 of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

3. As per prosecution case, on 05.02.2024 at about 8 o'clock at night, while the informant was returning from shop after purchasing rice, all the F.I.R. named accused persons, including this petitioner, gathered there and this petitioner is alleged to have caught hold of the hand and forcibly tried to take her into the house. After alarm, brother of the informant came to rescue. It is further alleged that all accused persons assaulted brother of the informant with fists and legs, as a result



of which he sustained injuries.

4. It is submitted by learned counsel appearing on behalf of the petitioner that shops of the petitioner and informant are situated at the same place within 100 meters from each other. As a matter of fact, brother of the informant had taken cash of Rs. 10,000/- from this petitioner on 25.03.2023 itself and even after repeated demand, he refused to return the money and only with a view to avoid returning the alleged money, this false and concocted case has been lodged. Moreover, only allegation against this petitioner is that he caught hold of hand of the informant. No specific accusation of assault has been alleged against this petitioner. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have 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 VIth, Additional Sessions Judge-cum-Special Judge, POCSO, Goaplganj, in connection with Baikunthpur P.S. Case No.36 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

shashank/-

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