

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29208 of 2024

Arising Out of PS. Case No.-111 Year-2022 Thana- RAJEPUR District- East Champaran

Ankit Kumar S/o Late Arun Singh R/o vill - Ujhilpur, P.S. - Rajepur, Distt. -
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sandesh Roy, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 20-05-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Rajepur Ps. Case No.-111 of 2022, registered for the offences punishable under Sections 447, 341, 323, 354(B), 379, 504, 506, 34 of the Indian Penal Code and under Section 6, 8, 12 of the POCSO Act, along with 25(1-b)A of the Arms Act.

3. The prosecution case as emerges from the FIR is that the seven Accused persons including the Petitioner armed with farsa, katta, lathi, knife and danda came to the door of the Informant and started assaulting and abusing the informant. Thereafter, they also snatched some articles and tore the clothes of the Informant.



4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in the case. He further submits that the present case has been filed against the Petitioner and his family members as a counterblast to Rajepur P.S. Case No. 108 of 2022 which was registered by the Accused side against the Informant for the offence punishable under Section 447, 341, 323, 354(B), 379, 504, 506, 34 of the Indian Penal Code and under Section 6, 8, 12 of the POCSO Act, along with 25(1-b)A of the Arms Act. He further submits that the present false case has been filed by the informant only to make out a defence in regard to the FIR lodged by the Accused side by Rajepur P.S. Case No. 108 of 2022. He further submits that there is no injury alleged to any alleged victim in the case.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no. 3 of the petition that the petitioner has no criminal antecedents.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances,



this petition is allowed, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. A.D.J.-VII-cum-Special Judge POCSO Act, East Champaran at Motihari in connection with Rajepur Ps. Case No.-111 of 2022, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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