

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32098 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- SIMRI District- Buxar

Ajeet Rai @ Pepa Ray son of Lalan Rai R/o Vill.- Beni Lal Ke Dera, P.S.-
Simari (Ramdas Rai Ke Dera O.P.), Dist.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-05-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Simari P.S. Case No. 21 of 2024 for the offence under Sections 341 and 354(b) of the I.P.C. and Sections 8/12 of the POCSO Act lodged on 20.01.2024 by the informant, Sanjay Yadav.

3. As per the prosecution story, the girl alleged that after the school time was over, she took the bus and when alighted, this petitioner tried to forcibly take her towards the bushes. As she raised alarm, the passengers saved her. Accordingly the FIR.

4. Learned counsel for the petitioner submits that they are neighbour, due to misunderstanding, the FIR lodged belatedly after twenty four hours, subsequently they realized the



misunderstanding and have since compromised.

5. Learned APP opposes the prayer submitting that he tried to take the girl towards bushes.

6. Learned counsel for the petitioner submits that he is a poor person, only bread earner and the family will suffer.

7. Though there is allegation against the petitioner taking into account his young age, do not have criminal antecedent, is a sole bread earner of the family, FIR lodged and will be facing the trial, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-VI-Cum-Special Court, POCSO Act, Buxar in connection with Simari P.S. Case No. 21 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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