

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46728 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- DHIBRA District- Aurangabad

Mantu Kumar Son of Ram Janam Sao Village- baluganj, P.S.- Dhibra, Distt.-
Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. SHYAMRAJ RAM SON OF LATE SOHRAI RAM VILLAGE- HAIDAR
CHAK, P.S.- DHIBRA, DISTT.- AURANGABAD

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 08-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 341, 323, 354, 354(A)(i)(ii), 504, 506, 509, 34 of the IPC and Section 8,12 of the POCSO Act in connection with Dhibra P.S. Case No.22 of 2024.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is aged about 23 years and the informant alleges that on 11.05.2024 his minor



daughter was returning from school when all the accused persons including the petitioner appeared and caught her hand with an intention to outrage her modesty and even pulled her towards an agricultural land and made a video of the same, but when villagers approached the accused fled threatening to make the video viral, if the occurrence is complained to anyone.

4. The learned counsel for the petitioner submits no doubt the allegation as alleged in the FIR appears to be a serious and it has become rampant also that girls are being teased when they go to college, school or coaching centers, but then submits that the allegation in the instant FIR is not specific. It is also submitted that petitioner is a young boy and if he is send to judicial custody his entire career would get jeopardized and chances are bright that he may come in contact with harden criminal.

5. The learned APP, Mr. Chandra Bhushan Prasad opposes the anticipatory bail application and submits that no father would institute a false case. It is also submitted that it appears that the victim and her father were fed up with the conduct of the accused persons, as such the instant FIR came to be instituted. It is also submitted that if privilege of anticipatory bail is granted to be petitioner without any investigation in that



event, he will feel emboldened.

6. At this stage, the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, VI-cum-Special Exclusive Judge (POCSO), Aurangabad in connection with Dhibra P.S. Case No.22 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with further condition that one of the bailor of the petitioner shall be his father, namely, Ram Janam Sao.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself as and when required, the learned trial court shall be at liberty to forthwith cancel the



bail bonds of the petitioner and to take all coercive steps to ensure that petitioner is behind bar.

9. Let a copy of this order be sent to the concerned P.S. through the learned Trial court.

10. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

U		T	
---	--	---	--

