

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47273 of 2024

Arising Out of PS. Case No.-323 Year-2024 Thana- RUPASPUR District- Patna

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Anjani Kumar Ranjan, Son Of Late Kailash Prasad Yadav, Resident Of
Village - Priya Kutir, Flat No. 202, Ramchandra Nagar, Hadaspur, Danapur,
Police Station - Rupaspur, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sonu Ranjan, Son Of Bijendra Saw, Village- Putani Saraiya, Ps- Paliganj,
Dist- Patna At P/A- Priya Kutir Ramchandra Nagar, Colony, Ps- Rupaspur,
Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate
For the State	:	Mr. Satyendra Narayan Singh, APP
For the Opposite Party no. 2	:	Mr. Anjani Parashar, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 18-09-2024 Heard Mr. Yogesh Chandra Verma, learned Senior

Advocate appearing on behalf of the petitioner and the learned

Additional Public Prosecutor for the State as well as Mr. Anjani

Parashar, learned Advocate for the opposite party no. 2.

2. The application for grant of bail to the petitioner
who is in custody in connection with Rupaspur P.S. Case No.
323 of 2024 registered for the offence punishable under Sections
354A and 354B of the Indian Penal Code and Section 8 and 12
of POCSO Act.

3. The allegation against the petitioner is of making
indecent wrongful activities with the minor daughter of the



informant.

4. Learned Senior Advocate appearing on behalf of the petitioner firstly contended that in fact on account of a dispute in relation to tenancy of the house, the present FIR has been instituted in order to put pressure upon the petitioner who is none else, but the land owner. It is next contended that the petitioner has been working as a Senior Section Engineer in Railway Construction Department having absolutely fair antecedent. Moreover, the allegation even if taken to be true, no offence much less under Section 354B is made out. So far Section 354A is concerned, the same is bailable. It is also contended that the petitioner is having a clean reputation as a public servant and now he has been in custody since 17.05.2024. Moreover, the investigation of the crime is complete and the charge-sheet has been submitted. The statement of the victim has also been recorded under Section 164 of the Code of Criminal Procedure.

5. On the other hand, learned Additional Public Prosecutor for the State vehemently opposes the bail application and submits that the act of the petitioner is apart from immoral, the same constitute an offence under Section 354B and other penal sections of the POCSO Act. At this juncture, learned



Advocate for the informant submits at the Bar that in fact, it appears that on account of certain misunderstanding the present FIR has been instituted, which later on realization, they have settled the dispute.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that the petitioner is a public servant having fair antecedent and now the investigation of the crime is complete and the statement of the victim has already been recorded under Section 164 of the Code of Criminal Procedure, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-VII-cum-Special Judge, POCSO, Patna in connection with Spl (POCSO) Case No. 126 of 2024 arising out of Rupaspur P.S. Case No. 323 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.



(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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