

Arising Out of PS. Case No.-55 Year-2021 Thana- MAHILA PS District- Jamui

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... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satya Prakash Parasar
For the Opposite Party/s	:	Mr. A.G
For the Informant	:	Mr. Binod Kumar
		Mr. Pankaj Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

10 06-09-2024

1. Heard learned counsel for the petitioner, the learned counsel appearing on behalf of the informant and learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in Jamui Mahila P. S. Case No. 55 of 2021 registered for the offences punishable under Sections 354(D), 354(A), 504 and 506 of the Indian Penal Code read with Section 12 of the POCSO Act.

3. The petitioner and the informant, in compliance of the order dated 23.08.2024, are present in the Court.

4. The learned counsel for the petitioner submits that petitioner is a young boy aged about 19 years and is a student and in the nature of allegation as alleged in the F.I.R., if



petitioner is sent to judicial custody, his entire career would be jeopardized and at the same time, chances are bright that he may come in contact with hardened criminals. It is also submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant, who is father of the victim, alleges that his minor daughter, aged about 15 years and six months, feels afraid of going to school as the petitioner misbehaves with her and also threatens to marry him failing which, he will make the video of the victim viral. It is next submitted that though it is alleged in the F.I.R. that the petitioner threatens the victim on the ground that her video would be made viral, but then, the F.I.R. does not disclose what kind of video was made by the petitioner based on which, he is threatening the victim and her family to make it viral. It is also submitted that during the course of investigation, no video or photographs came to the fore to even remotely connect the petitioner with the offence of taking any photographs or video of the victim.

5. The informant who is present in the Court also submitted that though allegation has been alleged in the FIR with regard to threat of making the video viral, but then he has not seen any video of the victim rather on hearsay, the said allegation was alleged.



6. The petitioner, who is also present in the Court, submits that he never misbehaved with the victim rather talked, but then that was not taken in good spirit by the informant. It is next submitted that presently petitioner is staying in Kerala, but intends to come back for pursuing his studies.

7. After considering the submissions on behalf of the petitioner and the informant, it appears that no useful purpose would be served by sending the petitioner to jail as his entire career would get jeopardized and chances are bright that his young impressionable mind may get swayed by hardened criminals presently in judicial custody.

8. The petitioner also undertakes that in future he will keep distance from the victim.

9. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Jamui Mahila P.S. Case No. 55 of 2021 subject to the conditions as laid down



under Section 438 (2) of the Cr.P.C.

10. The personal appearance of the petitioner and the informant is dispensed with.

11. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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