

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49450 of 2024

Arising Out of PS. Case No.-377 Year-2023 Thana- DURGAWATI District- Kaimur (Bhabua)

Banti Kharwar, Son of Mahendra Kharwar Resident of Village - Chogara,
P.S.- Durgawati, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Santosh Kumar, Son of Sheo Janam Sharma R/O Vill.- Choghra, P.s.-
Durgawati, Dist.- Kaimur at Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-09-2024 1. Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in a case registered for

the offences punishable under Section 354(D)/34 of the

Indian Penal Code and Section 12 of the POCSO Act.

3. The learned counsel for the petitioner submits

that petitioner has moved earlier before this Court seeking

anticipatory bail by filing Cr. Misc. No.3442 of 2024. It is

submitted that Cr. Misc. No.3442 of 2024 was rejected by

an order dated 12.02.2024, but then, it was also directed

that if petitioner surrenders on or before 04.03.2024 before



the learned trial Court, the learned trial Court shall try to dispose of the case on the same day keeping in mind the fact that petitioner is also a student. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that petitioner acted inappropriately with his daughter while she was going to her coaching. It is next submitted that petitioner and the victim are known to each other and informant does not like petitioner talking to the victim, as such, the instant false case came to be instituted. It is also submitted that petitioner is a young boy aged about 24 years and if he is allowed to remain in judicial custody for a long period of time, chances are bright that he may come in contact with hardened criminals, when admittedly petitioner is a person with clean antecedent.

4. Learned A.P.P. opposes the bail application.

5. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO Act-cum- Additional Sessions Judge-VIth, Kaimur at Bhabua in connection with Durgawati P. S. Case No.377 of 2023.

6. The application stands allowed.

(Satyavrat Verma, J)

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