

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54549 of 2024

Arising Out of PS. Case No.-335 Year-2022 Thana- PALIGANJ District- Patna

Inder Bhushan Yadav @ Inder Bhushan Kumar Son of Late Rajdeo Yadav
Resident of Village - Rampur Nagwan, P.S.- Paliganj, District – Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Vijay Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Murli Dhar, APP
	Mr. Ajay Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 26-10-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Special Case No. 77 of 2023, arising out of Paliganj P.S. Case No. 335 of 2022, instituted under Sections 341, 323, 324, 354, 504 of the Indian Penal Code.

3. As per the prosecution case, petitioner was dragging the daughter of informant and taking his house. On protest, petitioner is alleged to have assaulted the informant causing injury.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Informant and petitioner both are next door neighbours



and due to dispute between the children some altercation took place. There is case and counter case between the parties. The police after investigation submitted charge-sheet under the bailable Sections, however, learned concerned Court has taken cognizance also under Sections 8 and 12 of the POCSO Act against the petitioner and issued process due to which he has apprehension of arrest. Learned counsel further submits that Sections 8 and 12 of the POCSO Act is not made out. Petitioner is a constable in CISF at Delhi. He has no criminal antecedent. He undertakes to co-operate in the trial.

5. Learned A.P.P. for the State assisted with learned counsel for the informant oppose the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. VII-cum-Special Judge, POCSO, Patna in connection with Special Case No. 77 of 2023, arising out of Paliganj P.S. Case No. 335 of 2022, subject to the conditions laid down in



Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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