

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53553 of 2024

Arising Out of PS. Case No.-109 Year-2024 Thana- CHANDI District- Nalanda

Sonu Kumar Son Of Abhay Ram Resident Of Village - Sirnama, P.S. - Bena,
District - Nalanda

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Tuntun Ram Son Of Bardhan Ram Resident Of Village - Sirnama, P.S. -
Bena, District – Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Kumar, Adv.

For the Opposite Party/s : Mr. Shantanu Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 05-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Chandi (Bena) P.S. Case No. 109 of 2024 registered for the offences punishable under Sections 341 and 354 of the Indian Penal Code and under Sections 8 and 12 of the POCSO Act.

3. The prosecution case, in short, is that the informant runs a general store (shop) in his village and on 20.02.2024 at 7:00 PM, while the daughter of the informant was on shop then the petitioner came at his shop to purchase something in



drunken state and asked her to leave him in the street then without knowing his bad intention the victim girl went to drop him in the street then the petitioner with bad intentions touched her and tried to molest her.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. It is next submitted that the petitioner is cousin of the victim and has falsely been implicated in this case due to family dispute. The allegation levelled against the petitioner is totally false and based on concocted facts. It is further submitted that petitioner has no criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that the victim in her statement recorded u/s 164 of the Cr.P.C. supported the prosecution case.

6. Considering the facts and circumstances of the case as well as the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

8. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail,



the learned Court below shall pass order on the same day in
accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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