

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50806 of 2024

Arising Out of PS. Case No.-44 Year-2024 Thana- PARBATTa District- Bhagalpur

Bhawesh Kumar, son of Sushil Rai, Village- Jabtalla Parbatta Ps- Naugachiya
District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Parbatta (Naugachiya) P.S. Case No. 44 of 2024 registered
for the offences punishable under Sections 341, 354(A) of the
Indian Penal Code and Section 4/18 of the POCSO Act.

3. Allegation against the petitioner is that he molested
the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case due to previous enmity between the parties with respect to
theft of mobile. There is contradiction in the FIR and the
statement recorded under Section 164 Cr.P.C. with respect to the
place of occurrence as such no physical assault has been



committed by the petitioner. Petitioner is a student having no criminal antecedent. Petitioner undertakes to cooperate in the investigation and trial of this case.

5. Learned APP opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Parbatta (Naugachiya) P.S. Case No. 44 of 2024, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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