

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53856 of 2024

Arising Out of PS. Case No.-146 Year-2024 Thana- SISWAN District- Siwan

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Dinesh Singh son of Rudal Singh Village- Gangpur Siswan Ps- Siswan Dist-
siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajay Singh son of Late Ramji singh Village- Gangpur Siswan Ps- Siswan
Dist- Siwan

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-08-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 363 and
366A of the Indian Penal Code and Sections 8 and 12 of
POCSO Act.

3. Learned counsel for the petitioner submits that
petitioner is aged about 55 years and is a person with clean
antecedent and the informant alleges that his minor daughter,
aged about 17 years on 6-5-2024 at 3:00 pm, went to attend
natures call, but did not return, on search he came to know that
calls from different mobile numbers as detailed in the FIR came



and his daughter talked to them, thus alleges that holder of mobile numbers enticed his daughter away for marriage.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that petitioner and informant are having dispute relating to passage, as informant by encroaching *Garmajarua aam* land has created obstruction in the egress of the petitioner from his land, for which petitioner instituted a proceeding under Section 133 Cr.P.C bearing M.N. Case No. 2383 of 2017 against the informant in the court of SDM, accordingly, order dated 22-5-2018 was passed for removing the enforcement, but the informant did not remove the enforcement, thus petitioner again filed an application before the SDM on 19-1-2021.

5. It is next submitted that the victim was recovered on 12-5-2024, and her statement was recorded by the police under Section 161 Cr.P.C wherein she stated that she left her home as her mother had scolded for being photographed with Abhishek Kumar, but in her statement recorded under Section 164 Cr.P.C has stated that the petitioner made a video when Abhishek was trying to outrage her modesty. It is also submitted that the statement of the victim under Section 164 Cr.P.C was



recorded under parental pressure.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 Siswan P.S. Case No. 146 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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