

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55917 of 2024

Arising Out of PS. Case No.-182 Year-2024 Thana- RAJAOLI District- Nawada

Krishna Sav @ Sato Sav S/o Merubam Sao @ Margun Sao R/o vill - Baijda,
P.S. - Rajauli, Distt. - Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suma Devi W/o Jainandan Thakur R/o vill - Baijda, P.S. - Rajauli, Distt. - Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra
For the Opposite Party/s : Mr. Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-09-2024 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 offence punishable under Sections 354(B) of the Indian Penal Code & Section 12 of POCSO Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a senior citizen aged about 66 years and the informant alleges that her minor daughter aged about 9 years had gone to the shop of the petitioner for buying ice cream, when petitioner took her inside a room and acted inappropriately but the victim fled and came back home and thereafter disclosed the occurrence.



4. The 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 has a kirana shop in the locality and also sells ice cream. It is further submitted that the dues of the informant had mounted and when the same was demanded, there was an altercation, in which, the victim also participated and thus she was pushed and the informant taking advantage of the said fact implicated the petitioner with an allegation that he acted inappropriately while she was alone after taking her inside a room. It is also submitted that petitioner has a son, daughter, daughter-in-law and a grandson and the son, daughter-in-law and the grandson, who is aged about 5 years resides with him. It is next submitted that it also does not appear probable that the petitioner, in presence of his family members, would have indulged in such an act, bringing disrepute to his entire family. It is next submitted that informant realizing his mistake, compromised the case, as would manifest from the compromise dated 26.01.2024 (Annexure-2 to the anticipatory bail application). It is also submitted that a person who has remained a person with clean antecedent till 66 years of life, all of a sudden, has been made a criminal after the instant F.I.R. came to be instituted.



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

6. 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 Court below 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 Rajauli P.S. Case No.182/2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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