

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57242 of 2024

Arising Out of PS. Case No.-281 Year-2024 Thana- DAUDNAGAR District- Aurangabad

Ram Pulish Singh @ Rampulish Yadav Son of Late Kail Yadav @
Chandradeo Singh R/O Vill.- Paharpur, P.s.- Kaler, Dist.- Arwal.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Minta Devi W/o Raju Ram R/O Vill.- Sukhdewan Bigha, P.O.- Chauri, P.s.-
Daudnagar, Dist.- Aurangabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Daudnagar P.S. Case No. 281 of 2024, registered for the alleged offence under Sections 341, 323, 504/34 of the Indian Penal Code, Section 3(1)(r)(s)(w) of SC/ST Prevention of Atrocities Act and Section 12 of POCSO Act.

03. As per prosecution case, the cowherd of the petitioner used obscene words against the minor daughter of the informant and thereafter the petitioner and the co-accused came, abused and assaulted the minor daughter of the informant. Subsequently this petitioner and co-accused person again came to the doors of the informant and called her by her caste name.



04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. From the FIR itself, it is evident that no offence is made out against the petitioner. The FIR has been lodged after delay of 41 days and there is no explanation for this inordinate delay. The petitioner is not the resident of the village of the informant and he is not even known to the informant still she lodged this case against the petitioner and it appears on behest of some other person. The petitioner is a farmer and has got no concern with the informant or her family members. The petitioner is having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the completely vague nature of allegation and further considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Aurangabad/court concerned in connection with



Daudnagar P.S. Case No. 281 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

Ashish/-

(Arun Kumar Jha, J)

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