

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58188 of 2024

Arising Out of PS. Case No.-149 Year-2024 Thana- SANDESH District- Bhojpur

Pradeep Kumar Chaudhary @ Pradeep Kumar @ Pradeep Son Of Sanjay Chaudhary Resident Of Village - Bhojpur Saraiya @ Saraiya, Police Station - Sandesh In The District Of Bhojpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Chandani Kumari Daughter Of Sanjay Prasad Resident Of Village - Khandol, Police Station - Sandesh In The District Of Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 26-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Sandesh P.S. Case No. 149 of 2024 dated 30.05.2024, instituted for the offence punishable under Sections 341, 323, 354(B) of the Indian Penal Code and Section 12 and 8 of the POCSO Act.

3. The prosecution case, in short, is that on 29.05.2024, the informant was going to attend her computer class. On the way, petitioner stopped her and tried to outrage her modesty and when the informant opposed then petitioner assaulted her due to which she got injured.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that there is difference between the story of the FIR and the statement of the victim recorded under Section 164 Cr.P.C. There is a specific allegation against the petitioner in the FIR that he disrobed the informant but in the statement of 164 Cr.P.C, informant did not support the same. Learned counsel further submitted that it is clear from the statement made by the informant that there was a scuffle between the victim girl and the petitioner. It is further submitted that there is a land dispute between the parties due to which this present false case has been lodged against the petitioner. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Sandesh P.S. Case No. 149 of 2024, he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge VIth cum Special Court, POCSO,



Bhojpur, Ara, subject to condition as laid down under Section
438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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