

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56121 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- Anandpur District- Banka

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Anil Das @ Anil Kumar @ Anil Kr. Das Son Of Sitaram Das R/V-Village
-Kadwamaran, Police Station- Anandpur, District- Banka.

... .. Petitioner

Versus

1. The State of Bihar
2. Suman Devi Wife Of Ram Bilash Das R/V-Village -BARADIH, Police
Station- Katoriya, District- Banka.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

02. In the present case, the petitioner seeks bail in connection with Anandpur P.S. Case No. 12 of 2024, registered for the alleged offences under Sections 341, 342, 354(B), 506, 366(A)/34 of the Indian Penal Code and Section 8/12 of POCSO Act.

03. As per prosecution case, the petitioner tried to outrage the modesty of the daughter of the informant and tore her clothes and sexually assaulted to her.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. No occurrence as alleged has ever taken place. The FIR has been lodged after delay more than 24 hours and there is no satisfactory explanation for the same. After occurrence, the victim girl was not medically examined and this shows the falsity of accusation. Learned counsel further submits that the deposition of the informant as well as the victim girl was recorded and they did not support the prosecution case and rather stated that some altercation took place with this petitioner as the straw which the victim girl was bringing fell on the way. The petitioner is in custody since 03.06.2024 and he is having clean antecedent.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that the statement of the victim girl was recorded under Section 164 Cr.P.C. wherein she has supported the prosecution case and stated that the petitioner sexually assaulted to her.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the deposition of the informant and the victim girl absolving the petitioner from any wrong doing and further considering the period of custody of the petitioner and his clean antecedent, the petitioner above named is directed to be released on bail on



furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Banka/court concerned in connection with Anandpur P.S. Case No. 12 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the 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.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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