

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68994 of 2024

Arising Out of PS. Case No.-425 Year-2024 Thana- BIHAR District- Nalanda

Chandan Kumar S/O Deepak Das R/O Village- Imaadpur, Ravidas Tola, P.S-
Bihar Sharif, Distt.- Nalanada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi W/O Shrawan Yadav R/O Village- Immadpur Ravidas Tola, P.S-
Bihar Sharif, Distt.- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti
For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

1. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bihar P.S. Case no. 425 of 2024 instituted for the offence under Sections 341, 323, 354, 504, 506 and 34 of the Indian Penal Code Sections 8 and 12 of the POCSO Act and Section 27 of the Arms Act.

2. The case of the prosecution is that the petitioner along with others used to tease the minor daughter of the informant while going to school. It is also alleged that they used to taunt her and when the victim opposed, Chandan Kumar



slapped her. When the informant complained about this occurrence Chandan Kumar arrived at his house, abused and also made two fire. It is further alleged that the informant himself has provided the empty cartridges to the police.

3. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has got no criminal antecedent. From the order of the trial court, it is clear that from the statement of the victim also no specific allegation except slapping was found by trial court. The petitioner is aged about 19 years and he is a person with clean antecedent.

4. In contra, learned APP appearing for the State opposed the prayer of bail of the petitioner.

5. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bihar P.S. Case No. 425 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Session Judge-II-cum-Special Judge POCSO, Bihar Sharif, Nalanda subject to the conditions as laid down under section 438(2) of the Cr.P.C.

6. Accordingly, the present anticipatory bail application stands allowed with a condition that the petitioner shall cooperate in the investigation.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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