

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73215 of 2024

Arising Out of PS. Case No.-308 Year-2024 Thana- KONCH District- Gaya

Parasnath Singh @ Pappu Son of Ramdar Sharma R/O- Village- Digghi, PS-
Konch, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deepa Sharma D/o Late Amresh Kumar Resident of Village - Digghi, P.S.-
Konch, District- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Singh, Adv.

Mr.Bibhuti Narayan, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

Mr.Praveen Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-10-2024 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 354/354-A/354-D/506 of the IPC
and sections 8/12 of the POCSO Act.

3. The allegation against the petitioner is that he threatened
the informant on the point of pistol to establish physical relation
with her. Earlier also, he used to send indecent messages on the
mobile of informant's mother and wanted to talk with her
younger sister also. On account of these activities of the
petitioner, the father of the informant had committed suicide
years ago. The informant apprehends that the accused may kill



her.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that the mother of the informant herself filed an affidavit (Annexure-P/2 to the bail petition), in which, she denied any such occurrence. From bare perusal of the allegations alleged in the F.I.R., no offence u/s 354A, 354D, 506 IPC and 8/12 of POCSO Act is made out against the petitioner. He has been falsely implicated in this game at the instance of his co-villager namely Santosh Kumar, who has also filed nomination for the Chairman of “the Vayaparmandal” against the petitioner, who is the current Chairman. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. However, petitioner is at liberty to surrender before the



Court below within a period of six weeks and seek regular bail and the Court below shall pass an order, preferably, on the same day, in accordance with law, considering that the petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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