

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74371 of 2024

Arising Out of PS. Case No.-224 Year-2024 Thana- BAHADURPUR District- Darbhanga

Suraj Paswan @ Suraj Kumar Son of Pramod Paswan Village- Mirzapur, Ps-
Bahadurpur, Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramkumari Devi Wife of Mahabir Paswan village- Hemnarayanpur Kauahi,
Ps- Bahadurpur, Dist- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jagannath Singh, Advocate
		Mr. Deepak Kumar, Adv
For the Opposite Party/s	:	Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-11-2024 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bahadurpur P.S. Case No. 224/2024, registered under Sections 147,149,448,323,324,376,511,379 of the of the Indian Penal Code and Sections 8,12 POCSO.

The prosecution case, as per the First Information Report, is that on 16.06.2024 while the minor grand-daughter of the informant aged about 15 years went outside to collect water, the petitioner caught her, outraged her modesty and tried to commit rape. It has further been alleged that on 19.06.2024, in the night, the petitioner, along with other accused persons,



armed with lathi, danda and bamboo stick, etc., entered into the house of the informant and took away household articles and assaulted the informant and her family members and also looted cash and jewellery.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case as a counter-blast to the First Information Report lodged by the mother of the petitioner against the informant's family members for an occurrence which took place on 19.06.2024 having Bahadurpur P.S. Case No. 219 of 2024, dated 20.06.2024. He further submits that the occurrence, according to the informant, had taken place on 16.06.2024 and 19.06.2024, but the FIR has been lodged after much delay on 24.06.2024 and that too after lodging the FIR from the side of the petitioner on 20.06.2024.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the present FIR is counter-blast to the FIR lodged by the side of the petitioner, which is prior in time, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be



released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (POCSO Act), Darbhanga, in connection with Bahadurpur P.S. Case No. 224/2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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