

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72021 of 2023

Arising Out of PS. Case No.-109 Year-2023 Thana- RAMNAGAR District- West Champaran

Pritam Yadav Son of Jawahar Prasad Yadav Village- Marwari Tola Ramnagar,
PS- Ramnagar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-02-2024 At the outset, learned counsel for the petitioner submits that he has filed supplementary affidavit incorporating therein all the correct sections of the I.P.C. and POCSO Act, as mentioned in the F.I.R., since there is typographical error, to this effect, in paragraph – 1 of the bail petition.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The petitioner apprehends his arrest in a case registered for the offence under Sections 447, 341, 323, 354(B), 505, 506, 308 of the Indian Penal Code and Section 12 of the POCSO Act.

4. As per the prosecution case, on the eve of Holi, this petitioner alongwith other four named accused and some unknown miscreants in drunken condition reached at the house



of informant and started abusing. The reason behind the said occurrence is said to be that earlier also the accused persons used to consume liquor and indulged in eve-teasing and when protest was made, they started abusing and assaulting the informant and his family members. There is specific allegation against co-accused Aman Sharma and Golu Singh that they indecently misbehaved with the mother of the informant and torn her cloth.

5. It is submitted on behalf of petitioner that as per F.I.R. itself, specific accusation is against co-accused Aman Sharma and Golu Singh, who have already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 29.11.2023 passed in Cr.Misc. No. 76194/2023 alongwith Cr.Misc. No. 76402/2023. So far as this petitioner is concerned, he is only alleged to be member of the mob. The F.I.R. has been lodged after a delay of three days without there being any plausible explanation of delay. Petitioner has got clean antecedent.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

7. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks



from today, let the above named petitioner be enlarged 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 VIIth A.D.J.-cum-Special Judge, West Champaran, Bettiah in connection with Ramnagar P.S. Case No. 109 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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