

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3238 of 2024

Arising Out of PS. Case No.-177 Year-2022 Thana- BEERPUR District- Begusarai

Ram Kailash Pandit Late Ram Nandan Pandit R/o- Village- Birpur PS-
Birpur, Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Adv
		Mr. Braj Bhusan Poddar, Adv
For the Opposite Party/s	:	Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-02-2024 1. Heard learned senior counsel for the petitioner, Mr. Y.C. Verma and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302 and 34 of the IPC read with Sections 4, 6 and 21 of the POCSO Act.

3. The learned senior counsel for the petitioner submits that petitioner is a person with clean antecedent and is a school teacher. It is next submitted that the petitioner came to be implicated in Birpur PS Case No. 177 of 2022, dated 14-12-2022 registered under Sections 302 and 34 of the IPC read with Sections 4, 6 and 21 of the POCSO Act. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the minor daughter of the informant was



found hanging in one of the classrooms of the school as such, the petitioner along with others came to be implicated based on suspicion. It is further submitted that police after threadbare investigation came to a considered conclusion that petitioner is innocent and has been falsely implicated in the case, but the learned trial court in a mechanical manner proceeded to take cognizance. It is next submitted that similarly situated co-accused Kshama Kumari (Principal of the school) was granted the privilege of anticipatory bail by a learned Coordinate Bench by an order dated 31-1-2024 in Criminal Miscellaneous No. 1810 of 2024.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submission made by learned senior counsel for the petitioner that police after investigation submitted final form and similarly situated co-accused has been granted the privilege of anticipatory bail by a learned Coordinate Bench, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned court below where the case is pending/successor court in connection with Birpur PS Case No. 177 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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