

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2665 of 2024

Arising Out of PS. Case No.-1025 Year-2023 Thana- KAHALGAON District- Bhagalpur

Adhin Sharma @ Ramadhin Sharma S/o - Late Battan Sharma@Late
Bateshwar Sharma R/o Vill.- Banshipur,P.S.- Kahalgaon,Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 11-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Kahalgaon P.S. Case No. 1025 of 2023 dated 03.09.2023 registered for the offence/s punishable u/ss 354A, 354D, 342, 506 and 504 read with section 34 of the Indian Penal Code and section 8 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have taken and confined the informant's minor daughter in his house and attempted to establish physical relationship due to that she started crying. When the informant and her brother-in-law went to the house of the petitioner, all the accused persons abused them and threatened to implicate them in false case.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The victim in her statement recorded u/s 164 of the Cr.P.C. has narrated a different version from the FIR and the statement of u/s 161 of the Cr. P.C. The victim was medically examined where the doctor has found no sign of violence in the internal part of the body. There is no clinical evidence of recent sexual inter course. No offence under section 354A and 35A, D is made out against the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the material available on the record, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bhagalpur in connection with Kahalgaon P.S. Case No. 1025 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition/s:-



(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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