

Arising Out of PS. Case No.-128 Year-2023 Thana- NALANDA District- Nalanda

... .. Petitioner/s

Versus

- Opposite Party/s

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Dashrath Mehta

3 13-08-2025 **1.** Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 354B, 376, 511 of the Indian Penal Code and Section 12 of POCSO Act.

3. The learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that police after investigation submitted final form, exonerating the petitioner of the allegations as alleged in the FIR, but then the learned Magistrate based on protest took cognizance. It is next



submitted that once the police, after threadbare investigation, came to a considered conclusion that petitioner is innocent, whether it would be prudent for the Court to send the petitioner to jail based on an order of cognizance which came to be taken based on protest. It is further submitted no doubt petitioner has antecedent of four cases, but then the fact is that one investigating agency gave clean chit to the petitioner and the same should be taken into consideration while deciding the present anticipatory bail application. It is also submitted petitioner will not abscond rather will cooperate in the trial.

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

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Nalanda P.S. Case No. 128 of 2023, subject to the conditions as laid down under Section 482 (2) of the BNSS.



6. One of the bailors of the petitioner shall be his father, Bipin Singh.

7. It is made clear that if the learned trial court comes to a conclusion that petitioner, after his release, is trying to delay the framing of charge or after framing of charge is trying to delay the trial in any manner, the learned trial court in both the conditions shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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