

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35927 of 2025

Arising Out of PS. Case No.-12 Year-2023 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Babloo Kumar @ Babloo Yadav S/o- Rajendra Yadav Village- Bahuara Ps-
Manpur Dist- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Savita Devi W/o- Kauslendra Yadav Village- Bahuara Ps- Manpur Dist-
Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Dr. Anjani Pd. Singh, Advocate Mr. Sunnt Kumar, Advocate Mr. Saurav Kumar Pandey, Advocate
For the Informant	:	Ms. Kumari Sujata Sinha, Advocate
For the State	:	Mr. Satyendra Pd, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 03-09-2025 Heard the learned Counsel for the petitioner, the

learned counsel for the Informant and the learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Protest Cum Complaint (POCSO) Police
Station Case No. 12 of 2023, registered for the offences
punishable under Sections 323, 341, 504 IPC and Section
12 of POCSO Act.

3. The prosecution case, as per the complaint that
on 06.12.2022 at about 06:00 p:m while complainant was



going along with her minor sister-in-law for attending nature's call, the petitioner along with other accused persons surrounded them, started misbehaving with the minor sister-in-law of the complainant and pushed her on the ground with intention to commit rape.

4. Learned Counsel for the petitioner submits that on the basis of the complaint an FIR bearing Mahila P.S. Case No. 110 of 2022 was registered under Section 376, 511, 323, 354(B) IPC and Section 8/12 of POCSO Act. The police investigated the matter and submitted final form on 31.01.2023 not sending the petitioner and others for trial. Thereafter, Protest Cum Complaint petition was filed by the side of the complainant on 24.04.2023 and on the basis of the same, the learned Special Court has taken cognizance against the petitioner and others under Section 323, 341 and 504 IPC and Section 12 of the POCSO Act. Learned counsel further submits that three of the co-accused persons against whom cognizance was taken in the Complaint Cum Protest petition, have been granted surrender bail by the Special Court. There is a land dispute between the parties for which *Panchayati* was held between them on



10.09.2022 and 12.09.2022. Earlier due to land dispute, a case was lodged by the side of the petitioner against the prosecution side bearing Manpur P.S. Case No. 326 of 2022 under Sections 341, 323, 307, 379, 504, 506 and 34 of IPC in which petitioner was badly injured and in order to pressurize the petitioner side to enter into compromise in Manpur P.S. case, the present Protest Cum Complaint has been filed.

5. On the other hand learned counsel for the Informant has vehemently opposed the prayer for anticipatory bail and submits that the learned Special Court finding *prima facie* material against the petitioner has taken cognizance against. No civil case has been lodged by any of the side for the land dispute.

6. Having regard to the submissions made by the parties taking into consideration the fact that there is previous dispute between the parties, the FIR was lodged by the side of the petitioner against the complainant side earlier, the police after investigation submitted final form, not sending the petitioner and others for trial, I am inclined to grant the petitioner privilege of anticipatory bail.



7. This application is, accordingly, allowed.

8. 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 ADJ-VI Cum Special POCSO Court, Nalanda at Bihar Sharif, in connection with POCSO Complaint Case No. 12 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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