

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74684 of 2024

Arising Out of PS. Case No.-394 Year-2023 Thana- MADHUBANI TOWN District-
Madhubani

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Kishor Kunal @ Kunal Pandey son of Late Krishna Kumar Pandey Resident
of Village- Laxmi Sagar Bhauwara Ward No. 10, P.S.- Town, Dist-
Madhubani Petitioner/s

Versus

1. The State of Bihar
2. Sabira Khatoon Daughter of Md. Mustakin village- Laxmi Sagar,
Bhauawara, Ward no. 10, Ps- Town, Dist- Madhubani
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha
For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 22-03-2025 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
341,323,354,376 and 511 of the Indian Penal Code and Sections 8
and 12 of the POCSO Act.
3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent. It is next
submitted that the petitioner has been falsely implicated in the
instant case by the informant. It is further submitted that police
after threadbare investigation came to a considered conclusion that
petitioner is innocent and thus, submitted final form exonerating
the petitioner from the allegation as would manifest from



Annexure- P/6 to the anticipatory bail application. It is further submitted that when one investigating agency after a threadbare investigation came to a considered conclusion that petitioner is innocent whether it would prudent for this Court to send the petitioner to jail based on an order of cognizance which came to be taken differing with the police report which had exonerated the petitioner of the allegation.

4. Learned A.P.P. Sri Chandra Bhushan Prasad opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Madhubani in connection with Town P. S. Case No.394 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

(Satyavrat Verma, J)

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