

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57025 of 2017

Arising Out of P.S.Case No. -353 Year- 2017 Thana -BRAHMPUR District- BUXAR

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1. Anil Kumar Yadav @ Anil Yadav, Son of Ram Bachan Yadav, Resident of Village- Nimej, P.S.- Brahmpur, District- Buxar, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra, Advocate

For the Opposite Party/s : Mr. Satyavarat Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-12-2017 Heard learned counsel for the petitioner and learned Additional Public Prosecutor of the State.

The petitioner is apprehending his arrest in connection with POCSO Case No. 35 of 2017 arising out of Brahmpur P.S.Case No. 353 of 2017 registered for offences punishable under Sections 342, 354 (A) of the Indian Penal Code and Section 12 of the POCSO Act, 2012.

As per allegation in the written report, this petitioner caught daughter of the informant and started dragging her to Bajra field whereupon she started shouting loudly and on hearing her voice, Jaleshwar Ram came and he fled away leaving Aarti.

Learned counsel for the petitioner has submitted that he has clean antecedent as mentioned in para-3 of the petition.

Learned Additional Public Prosecutor opposes the prayer of bail.



From the written report there is general and omnibus allegation against the petitioner and accordingly, prayer of Anticipatory bail of petitioner is allowed and in the event of his arrest or surrender before the Court below within a period of six weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each in connection with POCSO Case No. 35 of 2017 arising out of Brahmpur P. S. Case No. 353 of 2017 to the satisfaction of learned 1st Additional District and Sessions Judge- cum- Special Judge, POCSO, Buxar, subject to the conditions laid down under Section 438 (2) Cr.P.C. with other conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the Court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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