

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30807 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -MAHILA P.S. District- NAWADA

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Pawan Kumar Yadav @ Pawan Kumar, Son of Gorellal Yadav, Resident
of Village- Chatar, P.S.: Narhat, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Smt Renu Kumari

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 19-08-2017 Heard the learned counsel for the petitioner, the

learned A.P.P. for the State as also the learned counsel for the

Informant.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Nawada Mahila P.S. Case
No. 12 of 2017 for the offences punishable under sections 376 (D),
114, 120 (B) and 34 of the I.P.C and section 4 of the POCSO Act.

As per the written report, the petitioner was standing
there when co-accused Chandan Kumar was committing rape with
the informant.

Submission is of false implication and that against the
petitioner there is no allegation for committing any overtact, in
this case other two co-accused, namely, Uday Yadav @ Uday



Kumar and Shankar Yadav @ Shankar Kumar have already been allowed pre-arrest bail vide Cr. Misc. No. 32504 of 2017 by another co-ordinate Bench of this Court and the case of the petitioner is on the better footing.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner was watching the occurrence.

In the facts and circumstances as stated above, considering that co-accused Uday Yadav and Shankar Yadav have already been allowed pre-arrest bail by another co-ordinate Bench of this Court and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. C.J.M. Nawada in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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