

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5666 of 2017

Arising Out of PS.Case No. -229 Year- 2014 Thana -AURANGABAD TOWN District-
AURANGABAD

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Rakesh Sao @ Rakesh Kumar S/o Mahendra Sao R/o Village Simra, P.S.
Simra, District-Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Jitendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

5 24-04-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Aurangabad (Town) P.S. Case No. 229 of 2014 registered
under Sections 341, 323, 354, 354B, 506 and 509/34 of the Indian
Penal Code.

Learned counsel appearing on behalf of the
petitioner submits that the petitioner is not named in the FIR as on
the basis of the statement of the victim/ informant. Aurangabad
(T) P.S. Case No. 229 of 2014 was instituted against accused
Ankit Kumar Gupta and Vishal @ Golu. While in course of
investigation the name of the petitioner was disclosed by the
victim and her parents in their statement recorded under section
161 Cr.P.C. detailed in paragraph-34, 35 and 36 of the case diary
but the victim has not disclosed the name of the petitioner in her



statement recorded under section 164 Cr.P.C. later on as culprit.

Learned counsel appearing for the informant while opposing the prayer of anticipatory bail of the petitioner but conceded that the victim-informant has not disclosed the name of petitioner in her fardbeyan and her statement recorded under section 164, she has only stated the name of accused Ankit Kumar Gupta and Vishal.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Rakesh Sao @ Rakesh Kumar be released on bail, in the event of his arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (POCSO), Aurangabad in connection with Aurangabad (Town) P.S. Case No. 229 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

S.Sb/-

(Rajendra Kumar Mishra, J)

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