

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 54059 of 2018

Arising Out of PS. Case No.-214 Year-2018 Thana- Motihari Mufasil District- East
Champaran

-
1. Vishal Kumar son of Ajay Rai.
 2. Ajay Rai son of Late Sajabal Rai.
 3. Kunal Kumar son of Ajay Rai,
- All are resident of Barharwa, P.S.- Muffasil, District- East
Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Binay Kumar
For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 11-09-2018 After some argument, Sri Binay Kumar, learned
counsel for the petitioners seeks permission to withdraw the
anticipatory bail petition in respect of petitioner no. 1 Vishal
Kumar. He submits that petitioner no. 1 will surrender before
the court below within a period of six weeks from today and
pray for regular bail.

The prayer is allowed. The present anticipatory bail
petition, so far as petitioner no. 1 (Vishal Kumar) in concerned,
stands dismissed as withdrawn, with observation that if within
aforesaid time petitioner no. 1 appears before the court below
and prays for regular bail, the learned court below, without
being prejudiced with this order, may examine the same and



pass appropriate order in accordance with law, preferably on the same date.

So far as petitioner no. 2 and 3 namely Ajay Rai and Kunal Kumar are concerned, it has been argued by learned counsel for the petitioners that on perusal of the entire F.I.R., there is no specific accusation against them. Petitioner no. 2 and petitioner no. 3 are father and brother respectively of petitioner no.1.

On perusal of the F.I.R. itself, it is evident that main accusation has been levelled against petitioner no. 1 Vishal Kumar, whose prayer for bail has already been dismissed as withdrawn.

So far as petitioner no. 2 and 3 are concerned, in view of facts and circumstances, I am of the view that it is a fit case for granting privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let petitioner no. 2 and 3 namely Ajay Rai and Kunal Kumar be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge cum Special Judge POCSO Act, East Champaran at Motihari in connection with Muffasil



Motihari P.S. Case No. 214 of 2018, Subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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