

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19955 of 2019

Arising Out of PS. Case No.-229 Year-2018 Thana- CHANDAUTI District- Gaya

Itiya Kumar @ Ramesh Kumar Son of Late Lakhan Yadav Resident of
Village- Churi, P.S.- Chandauti, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 02-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 376, 511/34 of the Indian Penal Code and 8 of POCSO Act.

The prosecution case, in short, is that the accused persons caught hold of the minor daughter of the informant and took her to paddy field misbehaved with her.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. No sexual assault has been made by the petitioner upon the victim. Other co-accused has been granted anticipatory bail



vide order dated 06.03.2019 passed in Cr. Misc. No. 12598 of 2019.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-1st-cum- Special Judge, (POCSO Act), Gaya in connection with Chandauti P.S. Case No. 229 of 2018 (POCSO Case No. 111/18), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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