

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51372 of 2019

Arising Out of PS. Case No.-85 Year-2019 Thana- ROHTAS District- Rohtas

RAHUL KUMAR @ RAHUL KUMAR SINGH Son of Ajay Singh Resident
of Village - Chitauli, P.S.- Rohtas, Distt - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 20-08-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 448, 354(B), 341, 323, 34 of the Indian Penal Code and Section 12 of the POCSO Act, 2012 registered in connection with POCSO Case No. 28 of 2019, arising out of Rohtas P.S. Case No. 85/2019.

3. It is submitted that the petitioner has been falsely implicated and in any event the thrust of accusation is against co-accused Deepak Kumar who has since been granted anticipatory bail by this Court in Cr. Misc. No. 50919 of 2019. No specific overt act has been alleged against the petitioner except that he is said to have been standing at the doorway to ensure that no outsider enter into the house. The parties are next door neighbours. It is further submitted that the petitioner who is a co-villager of the informant has been implicated due to village politics. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, POCSO, Rohtas at Sasaram in connection with POCSO Case No. 28 of 2019, arising out of Rohtas P.S. Case No. 85/2019., subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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