

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57067 of 2019

Arising Out of PS. Case No.-208 Year-2018 Thana- BAHERI District- Darbhanga

Rahul Lal Deo @ Rahul Kumar, Son of Ashok Lal Deo Resident of Village -
Naudega, P.S.- Baheri, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Baheri
P.S. Case No.208 of 2018 for the offence punishable under Sections
341, 323, 377, 34 of the Indian Penal Code and Section 4/6 of the
POCSO Act.

The allegation against the petitioner is that petitioner
along with co-accused, namely, Jitendra Kumar @ Jitendra Lal Deo,
forcibly took the son and committed sodomy on him under threat to
kill him.

Learned counsel appearing for the petitioner submits that
the petitioner has falsely been implicated in this case due to land
dispute between the parties inasmuch as there is delay of about one
month in lodging the First Information Report. Learned counsel
further submits that the victim and other witnesses have not



supported the allegation of Sudomy during the course of investigation against the petitioner. Learned counsel further submits that other accused, Jitendra Kumar @ Jhitendra Laldeo has been granted bail by this Court in Cr. Misc. No.20335 of 2019.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that similarly situated co-accused has been granted bail by this Court, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Ist Additional Sessions Judge-cum-Special Judge (POCSO Act), Darbhanga, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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