

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76107 of 2019

Arising Out of PS. Case No.-281 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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SUMAN @ SUBHAM KUMAR SAHA Son of Sri Pinku Saha @
Dharmendra Kumar Saha Resident of Dr. R.P.P.P Road, Near Marwari
Dharmshala, Khaligabag, P.S.- Jogsar, Distt - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv

For the Opposite Party/s : Mr.Ansar Ul Haque, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 19-12-2019 Heard learned counsel for the petitioner and the learned
APP for State.

Petitioner apprehends arrest in connection with **Kotwali**
(Jogsar) P.S. Case No. 281 of 2019 instituted for the offence
under Section(s) 363,354A, 354B and 506 of the Indian Penal
Code and Section 4/8 of the POCSO Act.

It is submitted by the petitioner's counsel that he is cousin
of main accused, namely, Ayush Saha. It is further submitted
that merely because of his relationship with the main accused,
he has been implicated in the instant case in the later part of the
First Information report. Prior to the instant case, he has no
criminal antecedents. In the First Information report, the
informant has implicated many family members of the main



accused, namely, Ayush Saha. The other two relatives, who are accused persons of the instant case , have been allowed the privilege of anticipatory bail in Cr. Misc. No. 49007 of 2019.

The learned APP for the State opposed the prayer for bail.

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the court below, within four (04) weeks from today, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Addl. Sessions Judge 1st-cum Spl Judge, POCSO, Bhagalpur**, in connection with **Kotwali (Jogsar) P.S. Case No. 281 of 2019**, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail



bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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