

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3076 of 2020

Arising Out of PS. Case No.-170 Year-2019 Thana- SULTANGANJ District- Bhagalpur

DEVDUT KUMAR @ DEVDATT KUMAR Son of Kaushal Kishor @
Kaushal Kishor Yadav @ Kaushal Yadav Resident of Village - Pain, P.S.-
Sultanganj, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Sultanganj PS case no. 170 of 2019 registered for the offences punishable under Sections 341, 323, 504, 354(a), 354(B), 354(d)/34 of Indian Penal Code and Section 8 of POCSO Act.

The allegation is regarding the accused persons having misbehaved with the victim girl when she had gone to take bath in the river Ganga.

The learned counsel for the petitioner submits that the petitioner is innocent, is having a clean antecedent and a bare perusal of the statement of the victim girl made under Section 164 Cr.P.C. before the learned Magistrate would bear it out that none of the



miscreants had misbehaved with the victim girl, however since the mother of the said victim girl had seen the accused persons coming from behind, she thought that the said persons are the miscreants who had engaged in misbehaving.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner coupled with the fact that the petitioner is having a clean antecedent as also taking into account the statement made by the victim girl under Section 164 Cr.P.C., I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st-cum-Special Judge, POCSO Act, Bhagalpur in connection with Sultanganj PS case no. 170 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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