

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.13145 of 2020**

Arising Out of PS. Case No.-456 Year-2019 Thana- KAHALGAON District- Bhagalpur

VIKAS KUMAR YADAV @ VIKAS YADAV @ KUMAR Son of Shyam  
Kumar Yadav Resident of Village - Baiju Tola Colgong Ward No.-1,  
Kahalgaon, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.Pramod Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA**

ORAL ORDER

3      09-07-2020                      Heard learned counsel appearing for the petitioner  
as well as learned Additional Public Prosecutor for the State  
through video conferencing.

Petitioner is in jail custody since 6.11.2019 in  
connection with Kahalgaon P.S. Case No. 456 of 2019  
registered for the offences punishable under Sections 376, 511  
and 323 of the Indian Penal Code and Section 8 of POCSO Act.

Submission on behalf of the petitioner is that one co-  
accused having similar allegation has already been granted  
privilege of bail by a Coordinate Bench of this Court vide order  
dated 15.6.2020 passed in Cr. Misc. No. 14301 of 2020.

Petitioner along with two others is said to have made  
attempt to outrage the modesty of informant and her sister and  
in that course, the petitioner and his associates removed the



clothes of the informant as well as her sister.

The investigation of the case has already been completed and, admittedly, one co-accused having similar allegation has already been granted bail by a coordinate Bench of this Court.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, POCSO Act, Bhagalpur in connection with Kahalgaon P.S. Case No. 456 of 2019.

However, it is made clear that if the petitioner makes any attempt to terrorise the prosecution witnesses, the prosecution may file petition for cancellation of bail of the petitioner before the concerned court and if prosecution does so, the concerned Court shall consider the prayer of the prosecution and shall pass appropriate order after due and proper inquiry.

**(Hemant Kumar Srivastava, J)**

Spd/-

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