

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82526 of 2019

Arising Out of PS. Case No.-198 Year-2019 Thana- KARAHGAR District- Rohtas

MUKESH KUMAR Son of Vijay Singh Resident of Village - Tendua, P.S.-
Kargahar (Barahari O.P.), District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 17-06-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of POCSO Case No. 70A/2019, Kargahar (Barahari O.P.) P.S. Case No. 198 of 2019, disclosing the offence under Sections 276, 323, 504, 506, 34 of the Indian Penal Code and Section 4 of the POCSO Act.

Learned counsel for the petitioner appears to be correct in his submission on the basis of what has been alleged in the FIR that no offence under Section 376 of the IPC is alleged against him. Such allegation is there against co-accused Manish Kumar, Nitish Kumar and Bittu Kumar. Allegation against the petitioner is that when the informant had gone to the persons named in the FIR to complain against the conduct of the said co-accused persons, he was assaulted by them including this petitioner. The occurrence had allegedly taken place on



20.07.2019, in respect of which the FIR was registered on 25.07.2019.

Considering the nature of allegation against the petitioner in the FIR, in my opinion, a case for grant of anticipatory bail is made out. This application is allowed.

Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned 1st Additional District and Sessions Judge, Rohtas at Sasaram, in POCSO Case No. 70A/2019, Kargahar (Barahari O.P.) P.S. Case No. 198 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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