

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86320 of 2019

Arising Out of PS. Case No.-14 Year-2019 Thana- MAHILA P.S District- West Champaran

ANSHU KUMAR @ AKASHAY ANAND, gender- Male, aged about 20 years, Son of Ajay Kumar Resident of Mohalla- Illam Ram Chowk, Bettiah, P.S.- Bettiah Town, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7, Adv.

For the Opposite Party/s : Mr.Md. Mushtaque Alam (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-01-2020 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in a case registered for the offences punishable under Sections 376(D) of the Indian Penal Code and Section 4,6,17 of the Prevention of Children from Sexual Offences Act.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is not named in the FIR. In her statement under Section 164 Cr. P.C., the victim is specific that the petitioner was not the rapist rather the petitioner is cousin brother of the informant and the petitioner was wrongly implicated by the police. Similarly placed co-accused



has been granted bail by co-ordinate bench of this court vide order dated 14.01.2020 passed in Cr. Misc. No. 86614 of 2019. Petitioner has no criminal antecedent and is in custody since 18.09.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional District and Sessions Judge-cum-special Judge, Bettiah, West Champaran, in connection with Bettiah (Mahila) P.S. Case No. 14 of 2019, subject to conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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