

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25729 of 2021

Arising Out of PS. Case No.-271 Year-2020 Thana- KOTWALI District- Patna

ABHINAND KUMAR @ ANAND Son of Niwas Singh @ Sri Niwas Singh
Resident of Ranipur, P.O.- Kodra, P.S.- Paliganj, District- Patna, at present
R/o/C/o- Bijay Singh, N.C. Ghosh Lane, P.S.- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh- Advocate

For the Opposite Party/s : Mr. Rajiv Nayan- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-11-2021 Heard the learned Advocate for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Special
(POCSO) No.124(B) of 2020 arising out of Kotwali P. S. Case
No.271 of 2020, instituted for the offences under Sections 354,
376 of the Indian Penal Code and Section 4 of the POCSO Act.

From bare perusal of the allegations in the F.I.R., it
would manifest that one Doman Yadav had enticed her away
and took her another sister and committed rape upon her.

Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R., which was instituted on
25.06.2020. The allegation of rape is against Doman Yadav and
not against this petitioner rather the name of this petitioner
transpired in the Statement of the victim recorded under Section
164 of the Cr.P.C. where she says that this petitioner along with



Nepali were also present. The petitioner is in custody since 02.02.2021 and he is a person with clean antecedents. Charge-sheet has been submitted in this case.

Similar situated co-accused Satish Kumar @ Nepali has been granted bail by a Bench of this Court vide order dated 21.06.2021 passed in Cr. Misc. No.40190 of 2020.

Learned A.P.P. vehemently opposes the bail application.

Considering the fact that the similarly situated co-accused has been granted bail and petitioner is a person with clean antecedents, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Patna in connection with Special ((POCSO) No.124(B) of 2020 arising out of Kotwali P. S. Case No.271 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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