

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31484 of 2020

Arising Out of PS. Case No.-53 Year-2020 Thana- HAJIPUR District- Vaishali

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1. Ketu Kumar, S/o- Lakhindra Singh Resident of Village- Asiyana Apartment Flat No. -401 Bagmali, P.S.- Hajipur Town, District- Vaishali.
 2. Rahul Kumar S/o- Lakhindra Singh Resident of Village- Asiyana Apartment Flat No. -401 Bagmali, P.S.- Hajipur Town, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate

For the Opposite Party/s : Mr. Akshyalal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-01-2021 Heard Mr. Krishna Prasad Singh, learned senior Counsel for the petitioners and Mr. Akshyalal Pandit, learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Nagar Police Station Case No. 53 of 2020, disclosing offences under Sections 354(D)/ 504/ 506 and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

The allegation, as per First Information Report is that the petitioners used to tease the daughter of the informant and threatened her of dire consequences, if she would not talk to petitioner.

Learned senior counsel for the petitioners submits



that petitioners have not committed any offence as alleged and they have falsely been implicated in this case. Learned senior counsel next submits that the statement of the victim girl was recorded under Section 164 Cr.P.C. and from perusal of the same, it would be evident that victim girl has stated that the call was made from the mobile of the petitioners but the voice of the petitioners was not apparent. Learned senior counsel further submits that in her statement, victim girl has stated that all the accused persons used to laugh upon the victim and when the accused persons were admonished by her mother, they did not tease the victim girl. Learned senior counsel next submits that one of the co-accused, Vikas Kumar, has been granted anticipatory bail by this Court vide order dated 11.01.2021 passed in Cr. Misc. No.31481 of 2020.

Having regard to the submissions made by the parties and taking into consideration the materials available on record and the statement of victim girl recorded under Section 164 Cr.P.C., I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let both the petitioners, namely, Ketu Kumar and Rahul Kumar, in the event of their arrest or surrender before the



Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Court, Hajipur, in connection with Nagar Police Station Case No. 53 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear at the time of furnishing bail bond, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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