

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33030 of 2020

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

OM PRAKASH RAM, Son of Shambhu Ram Resident of Village - Jaynagar
(Bajrangi Bazar), P.S.- Nautan, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 19-05-2021 Heard Mr. Bimlesh Kumar Pandey, learned

counsel for the petitioner and Ms. Sangeeta Sharma,

learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Bettiah (Sadar) Mahila Thana
P.S. Case No. 14 of 2019, instituted for the offences
under Section 376 (D) of the Indian Penal Code and
Sections 4, 6 and 17 of the POCSO Act.

Four persons are named in the F.I.R with the
accusation of ravishing the victim. During the course
of investigation, one Deepak Kumar was also arrested
who is said to be the driver of the vehicle which was



used by the four miscreants. He is said to have made a confession before the police that the telephone numbers of the named accused persons were given to him by the petitioner.

The learned counsel for the petitioner has submitted that assuming this statement to be correct, no offence can be saddled on the petitioner as he had no idea that those persons would hire the vehicle for such illegal purposes.

Apart from this, the only allegation against the petitioner is the aforesaid confession of an arrested accused persons which does not signify anything. The petitioner is neither the associate of the four persons who are alleged to have committed rape on the victim nor is in any way associated with the occurrence.

The petitioner does not have criminal antecedents.

Considering afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the



event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) each with two sureties of like amount each to the satisfaction of learned Additional District & Sessions Judge-I-cum Special Judge, Bettiah, West Champaran, in connection with Bettiah (Sadar) Mahila Thana P.S. Case No. 14/2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

The bail petition stands allowed.

(Ashutosh Kumar, J)

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