

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86665 of 2019

Arising Out of PS. Case No.-367 Year-2018 Thana- BARBIGHA District- Sheikhpura

KUNDAN PASWAN @ Kundan Kumar Son of Baleshwar Paswan Resident
of Village - Ali Nagar, P.S.- Sare, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 23-08-2021 Heard Mr. Raj Kishor Prasad, learned Advocate
for the petitioner and Mr. Nagendra Prasad, learned APP
for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Barbigha P.S. Case No. 367 of 2018 dated 30.11.2018 instituted for the offences under Sections 354(A)(B) of the Indian Penal Code and Section 8 of the POCSO Act.

It has been alleged that while the daughter of the informant was returning from her coaching classes, three boys riding on a motorcycle snatched the Dupatta of her daughter and fled away.

The FIR is against unknown. However name of three persons including that of the petitioner transpired during the course of investigation.



The learned counsel for the petitioner has submitted that one another co-accused having similar allegation has been granted anticipatory bail.

Regard being had to the aforestated facts, I am not inclined to grant anticipatory bail to the petitioner notwithstanding the fact that similarly situated accused person has been granted anticipatory bail.

Accordingly, prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, the court below shall take into account that the petitioner has been named during the course of investigation and similarly situated co-accused has been granted anticipatory bail and pass orders in accordance with law without being prejudiced by the fact that the present petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

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