

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19248 of 2021

Arising Out of PS. Case No.-598 Year-2018 Thana- JAHANABAD District- Jehanabad

Prem Kumar, age 23 years, Male, Son of Rai Ji Resident of Village - Kanaudi,
P.S.- Karoina O.P., Dist.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-04-2022 Heard Mr. Mukesh Kumar No.1, learned advocate for
the petitioner and learned Additional Public Prosecutor for the
State.

The petitioner seeks bail in anticipation of his arrest in
connection with Jehanabad (Karauna O.P.) P.S. Case No. 598 of
2018 dated 29.07.2018 instituted for the offences under Sections
341, 323, 504, 506, 509, 354A, 354D/34 of the Indian Penal
Code and Section 8 of the POCSO Act.

The accusation in the F.I.R. is that the petitioner and
his associate misbehaved with the victim and later tried to
abduct her on a Bolero vehicle. However, with the timely arrival
of the brother of the Informant/victim, such an occurrence could
be averted.

Learned counsel for the petitioner submits that the



accusation is absolutely false and motivated. In fact, other accused persons in this case have been granted anticipatory bail by different Benches. The orders granting anticipatory bail to the co-accused persons have been brought on record.

It has further been submitted that the police had submitted final form against the other accused persons but, the petitioner had been charge-sheeted. However, differing with the police report, cognizance has been taken against all the accused persons.

Regard being had to the aforestated facts and taking into account that the accusation against all the accused persons are almost similar in nature, the petitioner also is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-1, Jehanabad in connection with Jehanabad (Karauna O.P.) P.S. Case No. 598 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

However, it is made clear that if there would be any attempt on the part of the petitioner to delay the process of trial



or to intimidate the witnesses of this case, it would be open for the Informant to move an appropriate application before the court below for cancellation of the bail of the petitioner.

This Court has also taken note of the fact that the petitioner has clean antecedent.

(Ashutosh Kumar, J)

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