

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39939 of 2021

Arising Out of PS. Case No.-408 Year-2020 Thana- BARH District- Patna

BINOD RAI SON OF GANGA YADAV RESIDENT OF VILLAGE-
SHEKHOPUR, POLICE STATION-BARH, DISTRICT-PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Shankar Sinha, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in Special Case No. 198 of 2020 arising out of Barh P.S. Case No. 408 of 2020 registered under Sections 376, 354(C) 354(D), 504, 506, 34 of the Indian Penal Code and 4/6 of POCSO Act.

Prosecution case in short is that the son of petitioner committed rape upon the victim.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The allegation of commission of rape is alleged against the co-accused namely Laxman



Kumar who is said to be son of this petitioner. The petitioner has been made accused in the present case only because he is father of said co-accused. There is no allegation of commission of rape against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Patna in connection with Special Case No. 198 of 2020 arising out of Barh P.S. Case No. 408 of 2020 P.S. subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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