

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30916 of 2021

Arising Out of PS. Case No.-280 Year-2020 Thana- JOGAPATTI District- West Champaran

PRADEEP KUMAR SON OF RAJENDRA MAHTO Resident of Village -
Koergawan Ward No.10, P.S.- Yogapatti, Dist.- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7, Adv.

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-01-2022 Heard the parties through virtual court proceedings.

Learned counsel for the petitioner is directed to remove the defects as pointed out by the office within a period of four weeks. In the eventuality of non-removal of defects within the stipulated time, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case in connection with Jogapatti P.S. Case No.280 of 2020, registered for the offence punishable under Section 376 of the Indian Penal Code and section 4 of the POCSO Act.

The allegation in the FIR is that one Nitesh Kumar has committed rape upon the informant's daughter.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged has ever taken place. Petitioner is not



named in the FIR but being the family of the co-accused, he has been implicated in this case. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The specific allegation is against the co-accused Nitesh Kumar to have committed rape upon the daughter of the informant. In fact, there was love affair between the co-accused and the informant's daughter and both have married (Annexure-2). Petitioner has no criminal antecedent, as also mentioned in para-3 of the anticipatory bail application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Jogapatti P.S. Case No.280 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

