

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27488 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- MAHILA P.S. District- Saharsa

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UMESH DAS S/o Chandeshwari Das Resident of Village- Mahua Bazar,
Ward No.3, P.S.- Basnahi, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subesh Sharma, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 376, 504 and 506/34 of the Indian Penal Code, Sections 4/6 of the POCSO Act and Sections 3(1)(r)(s)/3(1)w(ii)/3(2)(va) of the SC/ST Act.

The prosecution case is that co-accused Sarfaraz forcefully committed rape upon the daughter of the informant.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that specific allegation of rape is against co-accused Sarfaraz and not against this petitioner. He further submits that similarly situated co-accused has been granted



anticipatory bail by this Court passed in Cr. Misc. No. 25248 of 2022. Petitioner has clean antecedent.

Learned APP appearing for the State opposed the anticipatory bail.

Considering the aforesaid submissions, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-I-cum-Special Judge (POCSO), Saharsa in connection with Mahila P.S. Case No. 13 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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