

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39423 of 2022

In
CRIMINAL APPEAL (SJ) No.1619 of 2022

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

ANIL SAH Son of Sri Bindeshwari Sah @ Bino Sah Resident of village-
Mahua Bazar PS- Basnahi District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Seema Devi Wife of Pappu Sada Resident of vilage- Mahua Bazar, Ward
No. 3 Ps- Basnahi District- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-10-2022 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 and 6 of the POCSO Act and Sections 3(i) (r) (s), 3(1)(w)(i) (ii), 3(2) (va) of the SC & ST Act.

As per 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 there is 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. 27421 of 2022.

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 Additional Sessions Juudge-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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