

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53218 of 2021**

Arising Out of PS. Case No.-57 Year-2016 Thana- JOGAPATTI District- West Champaran

BHUSHAN MUKHIYA S/o SINGHASAN MUKHIYA R/o VILLAGE-  
KHALWA TOLA PIPRAHIYA, P.S-YOGAPATTI (NAWALPUR),  
DISTRICT-WEST CHAMPARAN (BETTIAH).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, 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 Yogapatti (Nawalpur) P.S. Case No. 57 of 2016 registered under Sections 341, 323, 376, 511, 504/34 of the Indian Penal Code and 8 of the POCSOAct.

Prosecution case in short is that the co-accused Mantu Mukhiya 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 co-accused Mantu Mukhiya. So far the petitioner is concerned, there is no allegation of commission of rape against him. He has been made accused due to village politics.

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 District & Sessions Judge-Ist-cum-Special Judge, (SC/ST/POCSO), Bettiah, West Champaran in connection with Yogapatti (Nawalpur) P.S. Case No. 57 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

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