

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54018 of 2021

Arising Out of PS. Case No.-133 Year-2021 Thana- ADAPUR District- East Champaran

RAHUL KUMAR @ RAHUL PANDEY @ RAHUL KUMAR PANDEY
SON OF RAMKESHWAR PANDEY R/O VILLAGE- SHYAMPUR, P.S.-
ADAPUR, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Mishra
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

The petitioner seeks regular bail in connection with
Adapur Police Station Case No. 133 of 2021 registered for the
offences punishable under Sections 452/341/323/467/468/354/
354-B/376/511/34 of the Indian Penal Code 1860 and Section 8
of the Prevention of Children from Sexual Offences Act, 2012.

The prosecution case, as per the First Information
Report, is that the petitioner along with co-accused Akhilesh
Prasad Gupta, entered into the house of the informant and
demanded the loan amount which was given to the informant by
father of the petitioner. It has further been alleged that the
accused persons took signature of the informant on the paper
and when the minor daughter of the informant intervened in the



matter, the petitioner tried to outrage her modesty by pushing her on the chowki.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case at the instance of the Station House Officer of the Adapur Police Station inasmuch as one Jokhu Paswan has lodged Complaint Case No. 04 of 2021 against the Station House Officer, in which the petitioner is one of the witnesses. He further submits that co-accused Akhilesh Prasad Gupta has been granted bail by this Court vide order, dated 29.04.2022, passed in Criminal Misc. No. 52715 of 2021. He further submits that the petitioner is in custody since 15.05.2021 and charge sheet has already been submitted and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that co-accused has been granted bail by this Court, charge sheet has already been submitted and the petitioner is in custody since 15.05.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail



on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge -cum- Special Judge, POCSO, East Champaran, at Motihari, in connection with POCSO Case No. 121 of 2021 arising out of Adapur Police Station Case No. 133 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

