

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53741 of 2021

Arising Out of PS. Case No.-8 Year-2019 Thana- BETTIAH CITY District- West Champaran

YASHWANT KUMAR @ YASHWANT SON OF SHIV SHANKAR
MISHRA RESIDENT OF VILLAGE- JOKHA, P.S. MANUAPUL,
DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bettiah (Town) Kalibagh O.P. P.S. Case no. 8 of 2019 instituted for the offence under Section 66(A) of the I.T. Act and Section 8 of the POCSO Act.

It is a case of committing rape by co-accused Shivam Kumar upon the minor victim girl aged about 16 years after administering her intoxicating material. It is further alleged that several vulgar snaps of alleged incident have got viraled by the petitioner to his friends as well as family members of the victim girl.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case because of his relationship with the petitioner as of cousin brother. Petitioner is not named in the FIR. Victim girl has not been medically examined and her statement under Section 164 Cr.P.C. was not recorded till now. Petitioner has got no criminal antecedent. Specific allegation of committing rape and sending dirty pictures is against Shivam Kumar and allegation of threatening is against his parents. Petitioner has no concern with the alleged occurrence.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bettiah (Town) Kalibagh O.P. P.S. Case no. 08 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, West



Champaran, Bettiah subject to the conditions as laid down under
section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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