

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58301 of 2021

Arising Out of PS. Case No.-56 Year-2020 Thana- MAHILA P.S. District- Rohtas

ANKIT KUMAR S/o Shashikant Singh R/o village- Vazirganj, P.S.- Sasaram
(Mufassil), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. D.K. Sinha, Sr. Adv. Mr. Abhinay Raj Mr. Alaxendar Ashok, Adv.
For the Opposite Party/s :		Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioners and Mr.
Dinesh Singh learned A.P.P. for the State.

The petitioners seek bail in connection with Sasaram (Mahila) P.S. Case No. 56 of 2020 instituted for the offences under Sections 376 (DA) of the Indian Penal Code read with Section 4(2) and 6 of the POCSO Act.

Learned Sr. Counsel for the petitioner submits that the petitioner is in custody since 15.05.2021, charge-sheet has been submitted in the case and has antecedent of five cases and the informant alleges that on 09.12.2020 while she was going to get water, she was intercepted by Amit Kumar and Pankaj Kumar and they took her to a desolated place of Shashi Singh and committed rap in turn and locked her in a room for the



whole night and on the next day the room was opened by Ankit Kumar (petitioner) son of Shashikant Chowdhary when she came back home and disclosed the occurrence to her parents.

Learned Sr. counsel for the petitioner submits that date of occurrence is 09.12.2020, Fardbeyan was recorded on 12.12.2020 and the First Information Report was instituted on 14.12.2020, as such, it is submitted that the First Information Report came to be instituted five days after the occurrence but then also from perusal of the allegation, it would manifest that the informant has not even remotely whispered against these petitioner of having committed any sexual offence rather it is alleged that Amit Kumar & Pankaj Kumar had taken her to a desolated place in the house of Shashi Singh where they committed rape and locked her in a room and it was only when this petitioner on the next day came and opened the room she came out and disclosed the occurrence to her parent.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 15.05.2021, charge-sheet has been submitted in the case and taking into consideration the allegation as alleged in the First Information Report and the submissions made by the



learned Sr. Counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge -6 cum Special Judge, (POCSO) Rohtas in connection with Sasaram (Mahila) P.S. Case No. 56 of 2020.

(Satyavrat Verma, J)

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