

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66847 of 2021

Arising Out of PS. Case No.-64 Year-2017 Thana- MAHILA PS District- Khagaria

1. ABHINAV KUMAR @ TINKU KUMAR S/o Manoj Kumar Resident of Village - Bhutauli Malpa, P.S.- Chautham District - Khagaria.
2. Suman Kumar S/o Ajay Maryar Resident of Village - Bhutauli Malpa, P.S.- Chautham District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

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

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in Mahila P.S. Case No. 64 of 2017 registered under Section 376(G)/506 of the Indian Penal Code and $\frac{3}{4}$ of POCSO Act as well as Section-67 of Information Act.

Allegation against the accused persons including the petitioners is of taking picture of the informant. Further allegation is that giving threatening to do viral of the said photo, the informant is said to have been raped.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The



petitioners have been falsely implicated in the present case. After investigation, the police has submitted final form against the petitioners. The said final form was accepted by the court and the prosecution was dropped against the petitioners. Subsequently, during investigation, an application was filed by the prosecution under Section 319 of the Cr.P.C. and hence, the process has been issued against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, 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) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Mahila P.S. Khagaria Case No. 64 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

