

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4632 of 2023

Arising Out of PS. Case No.-36 Year-2019 Thana- MAHILA P.S. District- Bhojpur

VIKRANT KUMAR @ VIKKI Son of Arun Mahto R/V Barauli P.S- Ara
Muffasil Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd. Singh, Adv.

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable u/s 376, 511, 354, 323/34 of the IPC and section 6 of the POCSO Act.

Allegation against the petitioner is that he along with other accused persons entered into the house of victim and tried to outrage her modesty and on objection, they assaulted her.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The specific allegation is against the co-



accused Amarnath and during the trial, said co-accused was acquitted by the learned Court below. The judgment granting acquittal is enclosed as Annexure-5 of the bail application. It is further submitted that after investigation, police has filed final form against the petitioner but the Court below, differing with the final form, took cognizance against the petitioner and directed to issue summons against the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bhojpur (Ara) Mahila P.S. Case No.36/2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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