

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17408 of 2023**

Arising Out of PS. Case No.-86 Year-2022 Thana- MAHILA PS District- Gaya

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MANOJ KUMAR S/O-JAGDISH MAHTO Village- Bar Ps- Sherghati Dist-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bachan Jee Ojha
		Mr.Brij Mohan Das
For the Opposite Party/s :		Mr.Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-05-2023 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor representing the State.

This application, for grant of anticipatory bail, arises out of Gaya Mahila Police Station Case No. 86 of 2022, dated 13.10.2022, disclosing offences punishable under Sections 313/376/506/34 of the Indian Penal Code and Sections 4/6 of the Prevention of Children from Sexual Offences Act, 2012.

The prosecution case, as per the First Information Report, is that co-accused Rohit Kumar committed rape upon the informant, due to which she became pregnant. The allegation against the petitioner is that the mother of co-accused Rohit Kumar had taken the informant for abortion before the petitioner, who is a quack, and got the pregnancy of the



informant terminated.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to village politics. He further submits that the informant has not alleged that the petitioner has helped co-accused Rohit Kumar in committing rape upon her. He further submits that he is not a quack; rather he is farmer and the mother of co-accused Rohit Kumar has been granted anticipatory bail by a co-ordinate Bench of this Court, vide order, dated 25.05.2023, passed in Criminal Misc. No. 17953 of 2023.

Regards being had to the submissions advanced on behalf of petitioner and taking into consideration the fact that the co-accused, Sunita Devi, who is the mother of the main co-accused Rohit Kumar, has been granted bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge -cum- Special Judge, POCSO, Gaya,



in connection with Gaya Mahila Police Station Case No. 86 of
2022, subject to the condition laid down under Section 438 (2)
of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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