

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48954 of 2023

Arising Out of PS. Case No.-133 Year-2020 Thana- RAJPUR District- Buxar

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1. Pappu Yadav @ Pappu Singh @ Pappu Kumar Son Of Late Shankar Singh
Resident Of Village- Baghelwa, Ps- Rajpur, Dist- Buxar.
 2. Rupesh Kumar @ Munna Singh @ Munna Yadav Son Of Laxman Singh
Resident Of Village- Baghelwa, Ps- Rajpur, Dist- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2023 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 457, 354(B)/34 of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

3. As per the prosecution, the FIR has been lodged against 3 accused persons alleging therein that on 07.06.2020 at about 12.15 am, one co-accused person entered in the house of the informant and upon his daughter's cry the informant woke up and saw that accused persons (the present petitioners) were standing in *Gali*.

4. It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offence. Counsel submits that after investigation police submitted the final from and found that the present petition is

not fit for trial. He further submits that even if the petitioners' names were not there in the chargesheet for trial, cognizance has taken by the Special Judge, POCSO. Counsel also submits that there is one criminal case pending against the petitioners, in which they are on bail. He further submits that the accused against whom chargesheet has been submitted has been granted bail by the Co-ordinate Bench of this Court vide order dated 17.02.2021 in Cr. Misc. No.663 of 2021.

5. Learned APP for the State opposes the prayer for bail.

6. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VI-cum-Special POCSO Judge, Buxar, in connection with Rajpur P. S. Case No.133 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Ashishsingh/-

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