

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49278 of 2023

Arising Out of PS. Case No.-168 Year-2019 Thana- DAWATH District- Rohtas

SANTOSH YADAV @ SANTOSH KUMAR SINGH SON OF SRI
VISHWANATH YADAV R/O-BITHUA, P.S.-DAWATH, DISTT.-ROHTAS

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. VICTIM X DAUGHTER KAMESHWAR SINGH R/O-BHARAT KASBA,
P.S.-KARAKAT (GORARI), DISTT.-ROHTAS

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. advocate Mr. Bhaskar Shankar
For the Opposite Party/s	:	Mrs. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-08-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends his arrest in a case registered for the offence punishable under Section 376 and some other ancillary Sections of the Indian Penal Code and u/s 4, 6, 8 of POCSO Act.

3. As per the prosecution case, this petitioner along with his sister gave a medicine to the victim resulting her miscarriage.

4. Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that there is no allegation of any sexual assault against this petitioner. Co-



accused, Manoj Kumar, against whom there was allegation of sexual assault, has already been acquitted vide Sessions Trial No. 154/ 2021 (Annexure-3). Petitioner has got clean antecedent.

5. Learned counsel appearing for the State opposes the prayer for anticipatory bail.

6. Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Bikramganj, Rohtas in connection with Dawath PS case No. 168/ 2019, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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