

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56489 of 2023

Arising Out of PS. Case No.-94 Year-2021 Thana- RAXAUL District- East Champaran

KAUSHAL KUMAR @ KAUSHAL KUMAR SINGH @ KUSHAL KUMAR S/O VIKRAMA SINGH, R/O VILLAGE- ASHRAM ROAD, WARD NO. 10, P.S- RAXAUL, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar
For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 25-08-2023 Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Raxaul P.S. Case No. 94 of 2021, registered for offence punishable under sections 341, 323, 324, 307, 379, 506/34, of the Indian Penal Code and section 8 of the POCSO Act.

3. As per FIR, on 21.03.2021 at 9:15 A.M. the daughter of the informant was returning to her house from coaching classes and when she reached towards Manokamna Cyber Cafe, Kaushal Kumar (petitioner) caught hold of her hands and he forcibly started pulling her towards him. On hulla, people assembled and he fled away. She narrated her father about the whole incident. When the informant and his family members



came to Vikrama Singh, (the father of the petitioner) to complain, he started abusing them. Co-accused Dheeraj Singh assaulted Ranjeet Kumar with sword on his head. Nitish Kumar, (the family member of informant) was also assaulted and co-accused Kundan Singh snatched Rs.1,600/- from his pocket. Co-accused Vikrama Singh assaulted Pradeep Sah (the informant's cousin) with iron rod. Co-accused Ram Vinay Singh assaulted the informant with sword on his head and a 12 gram gold chain of the informant was snatched by Vikrama Singh. Lastly, the accused persons threatened to kill the informant and to kidnap his daughter had he filed any case against them. The police came there and the informant was brought to the hospital.

4. Earlier the anticipatory bail petition of the petitioner was rejected, vide order dated 04.07.2022 in Cr. Misc. No.58005 of 2021, as there was allegation against him to drag the daughter of the informant by catching hold of her hands and his family members assaulted the family members of the prosecution side.

5. The learned counsel for the petitioner has submitted that a fresh ground for filing the anticipatory bail petition again is that the cordial relation has been restored between the parties and they have compromised the case. The compromise petition



has been annexed as Annexure - P/3.

6. Considering the above-mentioned facts and circumstances, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran at Motihari in connection with Raxaul P.S. Case No. 94 of 2021, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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