

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60136 of 2022

Arising Out of PS. Case No.-517 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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RAJ @ MD. YUSUF S/o Chote Miyan R/o- Dwar Devi Chowk, Near
Laboratory Cinema, P.S.- Bettiah Town, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 10-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Bettiah Town (Kalibagh) P.S. Case No.517 of 2022,
registered for the offences punishable under Sections 420, 376,
504 and 34 of the Indian Penal Code as well as Section 8 of the
POCSO Act.

Accusation is of committing rape upon the informant.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got no
criminal antecedent as stated in paragraph-3 of the bail petition.
It is further submitted that no specific overt act is alleged



against the petitioner. It is submitted that the specific allegation is against Md. Rehan, who is brother-in-law of the petitioner. It is also submitted that similarly situated co-accused, Washim @ Md. Washim has already been enlarged on anticipatory bail vide order dated 09.02.2023, passed in Cr. Misc. No.57504 of 2022.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO-cum-ADJ, 6th-Bettiah, West Champaran in connection with Bettiah Town (Kalibagh) P.S. Case No.517 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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