

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64352 of 2022

Arising Out of PS. Case No.-20 Year-2022 Thana- GOPALPUR District- Gopalganj

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BHAGWAT SINGH Son of Jagdish Singh R/V- Yogipur, P.S- Gopalpur, Dist-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-02-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner apprehend his arrest in a case registered
for the offences punishable under Sections 363, 366A, 376(3),
120(b) of the Indian Penal Code read with under Section 4/6 of
the POCSO Act.

Allegation against the petitioner is that on
22.02.2021, one Vikash Kumar, with the help of petitioner fled
away to Delhi with the minor daughter of the informant and
made physical relationship with her daughter.

Learned counsel for the petitioner submits that no
such occurrence as alleged ever took place. Petitioner has been
falsely implicated in this case. The allegation levelled against
the petitioner is not specific rather general and omnibus in
nature. He further submits that there is no specific overt act
against the petitioner rather there is specific over act against



co-accused Vikash Kumar. He further submits that no offence is made out under Sections 376, 376AB, 376DA and 376DB of the IPC. He submits that the victim has been married with another person as contained in Annexure-2 of the bail application. Petitioner has got no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for bail.

Having regard to the facts and circumstances of the case and the fact that no offence is made out under Sections 376, 376AB, 376DA and 376DB of the IPC, let the above named petitioner, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Gopalpur P.S. Case No.20 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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