

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70907 of 2022

Arising Out of PS. Case No.-22 Year-2021 Thana- MAHILA P.S. District- Siwan

RAJU RAJBHAR @ TEJU RAJBHAR SON OF LATE BABUNAND
RAJBHAR R/O VILLAGE- NAUKA TOLA, P.O. AND P.S.- MAIRWAN,
DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar BIHRA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhakar Singh

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-06-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 376(D) of the Indian
Penal Code and u/s 4/6 of POCSO Act.

As per the prosecution case, co-accused /Madhav
Gupta had developed friendship with the victim girl and on the
call of Madhav Gupta the victim allegedly arrived at the
orchard where all the accused persons, including this petitioner
allegedly committed rape upon her.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is further submitted that main accused of the case,
namely, Madhav Gupta, and similarly situated accused namely,



Kalindra @ Guddu Baitha have already been granted anticipatory bail by Co-ordinate Bench of this court vide Cr. Misc. 64009 of 2021 & 60236 / 2021. Petitioner has got clean antecedent.

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

Taking into consideration the fact that main accused of the case, namely, Madhav Gupta, has already been granted pre arrest bail by a co-ordinate Bench of this court coupled with 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 Special Judge, POCSO Act, Siwan in connection with Mahila PS case No. 22/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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