

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8207 of 2024

Arising Out of PS. Case No.-1 Year-2023 Thana- MAHILA P.S. District- Vaishali

Ratnesh Kumar S/O Devendra Rai R/O Village- Khaji Chand Chhapra, P.S-
Goraul (Kathara O.P.), Distt.- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vinay Ranjan
For the Opposite Party/s	:	Mr. Arun Kumar Singh
For the informant	:	Mr. Hemant Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 03-05-2024 Heard the learned counsel for the petitioner,

learned counsel for the informant and learned counsel for the

State.

2. The petitioner apprehends his arrest in the present case registered for offences under Sections 376(DA), 313, 314, 120(B) of the Indian Penal Code, Section 23 and 25 of the P.C.T. & D.T. Act read with Section 6 of the POCSO Act and Section 67(A), 67(B) of the IT Act.

3. The main allegation of rape is against one Dinesh Kumar who is the brother of the petitioner. Petitioner was working in Muzaffarpur and it is alleged that he has helped Dinesh Kumar in getting the ultrasound done upon the victim.

4. During investigation the victim refused for



medical examination. Doctor in whose clinic the abortion was done has been exonerated by the police. The main accused Dinesh Kumar is in jail.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail.

6. Learned counsel for the informant has submitted that statement which have been recorded subsequently during trial of Dinesh Kumar who is in jail supports the allegation against the petitioner.

7. I have considered the submissions of the parties and seen the deposition of the victim. It appears that in the trial the witnesses are trying to improve upon their statements which has been made in the F.I.R.

8. In view of the above discussions, this application for anticipatory bail is allowed.

9. Accordingly, let the petitioner, above-named, in the event of his arrest or surrender within four weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District Judge-VI-cum-Exclusive Special Court, POCSO, Vaishali at Hajipur/concerned court below in connection with



Vaishali Mahila P.S. Case No. 01 of 2023 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

10. This application for anticipatory bail is allowed.

11. The petitioner will cooperate in the investigation pending against him.

(Sandeep Kumar, J)

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