

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27892 of 2024

Arising Out of PS. Case No.-332 Year-2021 Thana- CHHATAPUR District- Supaul

Ravindra Yadav S/o Vasudev Yadav R/o vill - Daharia, P.S. - Supaul, Distt. - Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-07-2024 Heard Mr. Ashok Kumar Mishra, learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with POCSO 75 of 2021 arising out of Chhatapur P.S. Case No. 332 of 2021 registered under Sections 363, 365, 366A, 34 of the Indian Penal Code and under Sections 8/17 of the POCSO Act lodged on 24.09.2021 by the informant, Umesh Mehta.

3. Learned counsel for the petitioner submits that a bare perusal of the FIR as well as Section 164 Cr.P.C. statement would reveal that it was Amresh Kumar Yadav against whom the kidnapping charge has subsequently been made by the girl by bettering her earlier statement made under Section 161 of the Cr.P.C.. He further submits that at best, they can be put in the category of associate and in that background, the other associates, namely, Azad Yadav, Arvind Kumar Yadav have been earlier extended relief by this Bench/ Cordinate Bench. The last



submission is that even the main accused Amresh Kumar Yadav was granted relief in Cr. Misc No. 11074 of 2023.

4. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that he has delayed coming to the Court.

5. Learned counsel for the petitioner submits that being a poor person was not having the knowledge of the lodging of the FIR against him and on coming to know about the fact immediately knocked the door of the Court.

6. Taking into account the aforesaid submissions including the fact that all the other accused persons have been extended relief including Amresh Kumar Yadav, this Court is inclined to grant him privilege of anticipatory bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J- VI, Supaul-cum-Special Session Judge POCSO Supaul in connection with Chhatarpur P.S. Case No. 332 of 2021 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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