

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27752 of 2024

Arising Out of PS. Case No.-351 Year-2023 Thana- MUFFASIL District- Aurangabad

Suryadayal Kumar Son Of Ramashish Yadav Resident Of Village- Khaira
Mirja, Ps- Aurangabad Mufassil, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 20-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 366A, 376, 504 of the Indian Penal Code and Sections 4 & 8 of the Protection of Children from Sexual Offences Act, 2012.

3. Learned counsel for the petitioner submits that as per F.I.R. itself, specific accusation of kidnapping and committing rape is against co-accused Ramdayal Kumar. So far as this petitioner is concerned, he has been made accused in this case merely because he happens to be brother of co-accused Ramdayal Kumar. He further submits that the victim, in her statement recorded under Section 164 Cr.P.C., has not alleged anything wrong against this petitioner. Petitioner claims clean antecedent.



4. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

5. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned Additional Sessions Judge VIth cum Exclusive Special Judge, POCSO Act, Aurangabad in connection with Aurangabad Mufassil P.S. Case No. 351 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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