

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34086 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- MAHILA P.S. District- Patna

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Aman Kumar @ Aanand Kumar SON OF SRI RAJU SAW @ TENI
RESIDENT OF VILLAGE- SHIV NAGAR SAMPATCHAK PS-
GOPALPUR, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nageshwar Singh, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

- 2 23-05-2024 Heard learned counsel for the petitioner and the State.
2. The petitioner is apprehending arrest in connection with Spl. Case No. 26/2024 arising out of Mahila P.S. Case No. 04/2024 instituted under Sections 323, 341, 504, 376 of the Indian Penal Code and Section 4 of the POSCO Act lodged on 1.2.2024 by the informant, Kajal Kumari.
3. As per the prosecution story, the informant alleged that the petitioner committed rape in washroom and later escaped. Accordingly, the FIR.
4. Learned counsel for the petitioner submits that they were making physical relationship for long and the girl is more than 18 years of age and the present status is that she has married the petitioner.



5. Learned APP opposes the prayer.

6. Considering the submission of the learned counsel for the petitioner as also the order of the learned Sessions Judge, the statement of the victim girl is there in which she has accepted to be in physical relationship with the petitioner in multiple time, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Spl. Case No. 26/2024 arising out of Mahila P.S. Case No. 04/2024 to the satisfaction of learned ADJ-VI-cum-POCSO Act subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(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



bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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 the 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 his bail bonds.

(Rajiv Roy, J)

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