

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35798 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- RAFIGANJ District- Aurangabad

1. Prakash Kumar @ Jai Prakash Sao @ Prakash Sao S/O Mangal Sao R/O Village- Babuganj, P.S- Rafiganj, Distt.- Aurangabad.
2. Daulati Devi W/O Prakash Kumar @ Jai Prakash Sao R/O Village- Babuganj, P.S- Rafiganj, Distt.- Aurangabad.
3. Khushboo Devi @ Khushaboo Devi W/O Vishal Kumar R/O Village- Babuganj, P.S- Rafiganj, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 10-06-2024 Heard learned counsel for the petitioners and learned counsel for the State.

2. Petitioners apprehend arrest in connection with Rafiganj P.S. Case No. 21/2024 registered for the offence under Sections 376/323/504/506/34 of the I.P.C. and under Section 4 of the P.O.C.S.O. Act.

3. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the instant case. Further submission is that the main allegation of assault is against one accused namely Vishal Kumar. Learned counsel further submits that there are general and omnibus



allegations against the petitioners. He further submits that the name of the petitioners have been implicated in this case merely because they are the relatives of the accused Vishal Kumar. He further submits that the main assailant Vishal Kumar has already been arrested. Learned counsel further submits that the petitioners have got clean antecedent.

4. Learned APP for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, the petitioners, above named are directed to be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Exclusive Special Judge, POCSO Act, Aurangabad in connection with Rafiganj P.S. Case No. 21/2024 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

6. This application stands allowed.

(Arvind Singh Chandel , J)

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