

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43574 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- MAHILA PS District- Darbhanga

Yogendra Prasad Singh @ Bhogi Mandal Son of Mahavir Mandal R/O Vill.-
Ward no. 11, Matharahi , P.S.- Baheri Dist.- Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Hira Devi Wife of Ramsukhit Manda R/O Vill.- Matharahi, P.S.- Baheri,
Dist.- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Parmod Ban Bihari Singh, Advocate
For the State	:	Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 376, 323, 354C, 354D, 504, 506 and 34 of the Indian Penal Code and Sections 4 and 6 of the POCSO Act.

3. As per prosecution case, co-accused Shiv Kumar @ Shiv Balak is alleged to have committed rape upon the minor daughter of the informant.

4. It is submitted by learned counsel appearing on behalf of the petitioner that from bare perusal of F.I.R. it is apparent that specific accusation of rape is against co-accused Shiv Kumar @ Shiv Balak. Petitioner has falsely been



implicated in this case merely because he happens to be father of co-accused Shiv Kumar @ Shiv Balak. Petitioner has got no concern in the alleged occurrence and he is only alleged to have forcibly taken away co-accused Shiv Kumar @ Shiv Balak from the custody of the informant. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, 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 Special Judge POSCO, Darbhanga, in connection with Mahila P.S. Case No. 18 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

