

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43396 of 2024

Arising Out of PS. Case No.-52 Year-2024 Thana- SIMRI District- Buxar

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Dharmendra Kumar Pathak S/o Janardan Pathak Resident of Village
Raghubansh Pathak Ke Dera, Neyazipur, P.S. Simari, District Buxar, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Yogendra Pathak S/o Late Ram Bachan Pathak Resident of Village Dada
Baba Ke Dera, Neyazipur, P.S. Simari, District Buxar, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amarendra Kumar Pathak
For the Opposite Party/s : Mr.Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-09-2024 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 341, 323, 342, 354(B), 504, 506/34 of the Indian Penal Code and Sections 8/12 of the POCSO Act.

3. As per the prosecution case, on 07.02.2024, the informant got an information on mobile that while his daughter was returning from tuition, four accused persons forcibly got her seated on motorcycle and took away. It is further alleged that co-accused Golu Pathak was present at the place of occurrence



and he alongwith other co-accused persons attempted to commit rape with her, however; on being alarm raised by the victim, the accused persons pushed her on ground, due to which, she sustained injury on her head and thereafter, accused persons threatened her and fled away.

4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. Name of the petitioner transpired during course of investigation on the basis of confessional statement of co-accused Golu Pathak. Even, the victim, in her statement recorded under Section 164 Cr.P.C., has not named this petitioner, though, petitioner is co-villager.

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

6. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner is allowed.

7. Accordingly, in the event of arrest/surrender before the Court below within a period of eight 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 District & Sessions Judge – VI cum Special Court, POCSO, Buxar in connection with Simri P.S. Case No. 52 of 2024,



subject to condition as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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