

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49580 of 2024

Arising Out of PS. Case No.-47 Year-2021 Thana- ISHUPUR BARAHAT District- Bhagalpur

Anant Kumar S/O Sri Pappu Ray R/O Village- Kirtaniya Chowk, P.S- Ishipur
(BARAHAT), Distt.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Md. Kasim S/O Md. Samsuddin Ansari R/O Nayanagar, P.S- Ishipur
Barahat, Distt.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Mr. Asitu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-07-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with POCSO Case no. 119 of
2021 (arising out of Ishipur Barahat P.S. Case no. 47 of 2021)
registered under sections 363, 366(A), 504 and 506 of the Indian
Penal Code and section 8 of the POCSO Act.

3. As per the prosecution case, the informant states
that his 13 year old minor daughter was taken away by Rakesh
Kumar as also his accomplices which included the petitioner
herein. It is further stated that Rakesh Kumar used to work in
the tyre shop of the informant and the informant had removed



him after having caught him stealing money.

4. Learned counsel for the petitioner submits that the prayer for bail of the petitioner was rejected vide order dated 6.12.2023 passed in Cr. Misc. 62729 of 2023 giving liberty to the petitioner to renew his prayer for bail after framing of charge. Charge has been framed against the petitioner in the trial Court on 22.5.2024 vide Annexure - P/4 to this petition. It is further submitted that the alleged victim was recovered and her statement was recorded under section 164 Cr.P.C wherein she has not named the petitioner. The petitioner is in custody since 31.1.2023.

5. The application for bail is opposed by learned A.P.P for the State.

6. Having heard the learned counsel for the parties and taking into consideration the allegation in F.I.R, submissions made by the learned counsel for the petitioner, liberty granted to the petitioner in the earlier order of rejection dated 6.12.2023, charge having been framed against the petitioner, the petitioner having remained in custody since 31.1.2023 and his not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with POCSO Case No.119 of 2021 (arising out of Ishipur Barahat



P.S.Case No. 47 of 2021) on furnishing bail bond of Rs.
10,000/- (Rupees Ten Thousand) with two sureties of the like
amount each to the satisfaction of learned Exclusive Special
Judge POCSO-cum-Additional Sessions Judge-VII, Bhagalpur.

(Partha Sarthy, J)

Namita/Ravikr/-

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