

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54615 of 2024

Arising Out of PS. Case No.-696 Year-2023 Thana- FATUA District- Patna

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1. Laltus Kumar, S/O Chotay Yadav, Resident Of Balwa, Police Station Fatuha, District Patna
 2. Rahish Kumar, S/O Vinod Singh Resident Of Balwa, Police Station Fatuha, District Patna
 3. Rahul Kumar, S/O Adhin Singh, Resident Of Balwa, Police Station Fatuha, District Patna
 4. Gulshan Kumar, S/O Persuram Singh, Resident Of Balwa, Police Station Fatuha, District Patna
 5. Sugrib Kumar @ Sugrib Singh, S/O Yogendra Singh, Resident Of Balwa, Police Station Fatuha, District Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manju Devi, W/o Shailesh Singh R/o vill - Balwa, P.S. Fatuha, Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Surya Nandan Kumar, Advocate
For the Opposite Party/s	:	Mr.Ajay Kumar No. 2, APP
For the Informant	:	Mr. Abhishek Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 13-12-2024 Heard learned counsel for the petitioners, learned counsel for the informant and Mr. Abhishek Anand, learned APP for the State.

At the outset, it is submitted by learned counsel for the petitioners that bail application against petitioner no.2 Rahish Kumar was earlier withdrawn vide order dated 22.11.2024 by this Court, as he has been arrested.

2.The instant application for anticipatory bail has been



filed by the petitioner nos.1, 3, 4 and 5 apprehending their arrest in connection with Fatuha P.S. Case No. 696 of 2023 (Special Case No. 231 of 2023) instituted for the offence under Sections 323, 341, 354(B), 504 and 34 of the Indian Penal Code and Sections 7/8 of the POCSO Act.

3. The case of the prosecution, in short, is that the daughter of the informant has gone to ease herself and at that time the petitioners arrived there and attempted to take her to a secluded place. On alarm being raised, the accused persons left her.

4. Learned counsel appearing on behalf of the aforesaid petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted that the informant has filed a petition in the trial Court that she is not a literate lady and at the instance of some persons she had put the signature on a plain paper. No case as alleged has happened. Petitioner no.5 is having one criminal antecedent and other petitioners are having no criminal antecedent.

5. In contra, learned APP appearing for the State and learned counsel for the informant have opposed the prayer of bail of the aforesaid petitioners.



6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the **petitioner nos.1, 3, 4 and 5, namely, Laltus Kumar, Rahul Kumar, Gulshan Kumar and Sugrib Kumar** on bail. The petitioner nos. 1, 3, 4 and 5 are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Fatuha P.S. Case No. 696 of 2023, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VII-cum-Exclusive Special Court (POCSO Act), Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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