

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3878 of 2024

Arising Out of PS. Case No.-410 Year-2023 Thana- BAKHTIYARPUR District- Patna

Bittu Kumar @ Bittu Yadav S/o Karu Yadav @ Ranjit Singh R/O Village-
Champapur Police Station- Bakhtiyarpur District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Priyanka Kumari D/o- Suresh Singh R/o Village- Champapur Police Station-
Bakhtiyarpur District- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Anjana, Advocate
For the Respondent/s	:	Mr. Zeyaul Hoda, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-09-2024

1. Heard learned counsel for the parties.

2. This is an appeal under Section 101(5) of the Juvenile Justice (Care and Protection of Children) Act, 2015 against the refusal of prayer for regular bail vide order dated 31.07.2024 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Children's Court, Patna in connection with Special (Child) Case No. 07 of 2024 arising out of Bakhtiyarpur P.S. Case No. 410 of 2023 under Sections 341, 323, 376(3), 376(D), 379, 504 and 506 of the Indian Penal Code as well as Sections 4 and 8 of the POCSO Act.

3. Learned counsel for the appellant submits that appellant is a person with clean antecedent. It is further submitted that earlier Bipin Kumar @ Bipin Yadav and Sanni



Kumar had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 16157 of 2024 and the same was allowed by an order dated 29.07.2024. It is next submitted that thereafter Santosh Kumar @ Chhote Kumar @ Chhotu Kumar also approached this Court seeking anticipatory bail by filing Cr. Misc. No. 56565 of 2024 and the same also came to be allowed by an order dated 26.09.2024. It is also submitted that this Court while granting anticipatory bail to Bipin Kumar @ Bipin Yadav, Sanni Kumar and Santosh Kumar @ Chhote Kumar @ Chhotu Kumar considered the case on merits in detail. It is further submitted that appellant is similarly situated like Bipin Kumar @ Bipin Yadav, Sanni Kumar and Santosh Kumar @ Chhote Kumar @ Chhotu Kumar.

4. Learned counsel for the appellant submits that Bipin Kumar @ Bipin Yadav, Sanni Kumar and Santosh Kumar @ Chhote Kumar @ Chhotu Kumar were granted the privilege of anticipatory bail while appellant is in custody since 30.09.2023, thus, seeks bail. Learned counsel further submits that appellant will not abscond rather will cooperate in the trial.

5. Learned Special Public Prosecutor opposed the prayer for bail.

6. Considering the aforesaid submissions and taking



into consideration the order dated 29.07.2024 and 26.09.2024 passed in Cr. Misc. No. 16157 of 2024 and Cr. Misc. No. 56565 of 2024, let the appellant, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Special (Child) Case No. 07 of 2024 arising out of Bakhtiyarpur P.S. Case No. 410 of 2023.

7. One of the bailors of the appellant shall be his father, namely, Karu Yadav @ Ranjit Singh.

8. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Satyavrat Verma, J)

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