

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7190 of 2025

Arising Out of PS. Case No.-161 Year-2023 Thana- RAJPUR District- Buxar

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Gautam @ Gautam Yadav @ Gautam Kumar Yadav S/O Ram Bahadur Yadav
R/O Village- Bahuara, P.S- Rajpur, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushi Kumari D/O Vijendra Singh R/O Village- Bahuara, P.S- Rajpur,
District- Buxar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rang Nath Choubey

For the Opposite Party/s : Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 02-07-2025 1. 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 offences punishable under Section 376(D)
of the Indian Penal Code read with Sections 4 /6 of the
POCSO Act, 2012.

3. Learned counsel for the petitioner submits that
allegation is of rape against Deepak @ Deepak Singh and
petitioner is alleged to have aided.

4. Learned counsel for the petitioner next submits



that police after threadbare investigation came to a considered conclusion that petitioner is innocent, thus, submitted Final Form N. 305 of 2023 dated 24.11.2023, but then the learned Trial Court took cognizance, as such, petitioner apprehends arrest. It is next submitted that when one Investigating Agency, after threadbare investigation, came to a considered conclusion that petitioner is innocent whether it would be prudent for this Court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioner of the allegations.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Rajpur P.S. Case No. 161 of 2023 subject to the conditions as laid down



under Section 482 (2) of BNSS.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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