

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73212 of 2024

Arising Out of PS. Case No.-156 Year-2024 Thana- RAJAON District- Banka

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Bittu Das @ Bittu Kumar S/O Indradev Das R/O Village- Tilakpur, P.S-
Rajoun, District- Banka (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the DGP, Bihar, Patna. Bihar
2. Sanjay Das S/o Late Uchit Lal Das R/O Village- Tialkpur, P.S- Rajoun,
Distt.- Banka (Bihar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiw Kumar Prabhakar, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 28-02-2025 Heard Mr. Shiw Kumar Prabhakar, learned counsel

for the petitioner and Mr. Uday Chand Prasad, learned APP for

the State.

2. The instant application for anticipatory bail has

been filed by the petitioner apprehending his arrest in

connection with Rajoun P.S. Case No. 156 of 2024 instituted for

the offence under Sections 363, 365, 354(B) and 34 of the

Indian Penal Code and Section 8 of the POCSO Act.

3. The case of the prosecution is that on 18.03.2024 at

about 05:00 pm, the informant's daughter was cleaning the

house, at that time, Rajesh Das and this petitioner came in

influence of intoxication, they assaulted the daughter of the



informant. It is further alleged that on 20.03.2024 at about 10 am, co-accused took away the daughter of the informant while she was alone.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. During course of investigation the victim was recovered and she has given her statement recorded under section 164 of the Cr.P.C. wherein she has not named this petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Other co-accused person has already been granted regular bail by this Court vide order dated 17.01.2025 in Cr. Misc. No. 69004 of 2024.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

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 petitioners on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Rajoun P.S. Case No. 156 of 2024, he will be enlarged on bail on furnishing bail bond of Rs.



10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Special Judge POCSO, Banka subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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