

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88545 of 2024

Arising Out of PS. Case No.-377 Year-2023 Thana- KAUWAKOL District- Nawada

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Anjesh Yadav @ Anyajesh Prasad Yadav, Son of Ramswarup Yadav, Resident Of
Village- Darawan, PS- Kawakole, District -Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chhoti Kumari, D/O- Mithilesh Paswan, Resident of Village- Darawan, P.S.-
Kawakole, Distt.- Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr.Sadanand Paswan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and Mr. Sadanand
Paswan, learned APP for the State.

2.The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection with
Kawakole P.S. Case No. 377 of 2023 instituted for the offence under
Sections 376, 506 of the Indian Penal Code, Section 4 of the POCSO
Act and Sections 3(i)(r)(s) and 3(2)(v) of the SC/ST Act. But
cognizance has been taken under Sections 376, 323, 506 of the I.P.C.,
4 of the POCSO Act and 3(i)(r)(s), 3(2)(v) of the SC/ST Act.

3. The case of the prosecution is that one Pankaj Yadav
committed rape with the minor victim. In the last part of the F.I.R., it
has been alleged that Pankaj Yadav has threatened of dire
consequences. As the villagers reached there, this petitioner started
assaulting the brother of the victim and also threatened.

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. The occurrence can be divided into two part. First part is having the major allegation and in second part, name of this petitioner has surfaced where the only allegation is that of assaulting the brother of the victim.

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 petitioner 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 Kawakole P.S. Case No.377 of 2023, 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 District and Sessions Judge VIth-cum-Special Judge, POCSO Act, Nawada, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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