

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40446 of 2026

Arising Out of PS. Case No.-353 Year-2019 Thana- BOCHAHAN District- Muzaffarpur

Vijay Kumar S/o Ram Swarup Yadav R/o Village - Benipur Balthi Rasulpur,
P.S. - Bochahan, Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi W/o Mohan Sah R/o Village - Dahiwan Mohanpur, Post - Adigopalpur, P.S. - Bochahan, Dist. - Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-08-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with Bochahan P. S. Case No. 353 of 2019 registered for the offences punishable under Sections 376G, 302/34 of the Indian Penal Code and sections 4 and 6 of the Protection of Children from Sexual Offences Act.

3. As per prosecution case, co-accused Badal Kumar lured 14 years old minor daughter of the informant to three kilometers away from her house where petitioner and other accused persons committed gang rape and brutally killed her.

4. Learned counsel for the petitioner submits that



petitioner is not named in the F.I.R. and his name transpired during investigation on confessional statement of co-accused Badal Kumar. Thrust of accusation is against co-accused Badal Kumar, who has already been acquitted by learned Trial Court and similarly situated co-accused, namely, Ajay Kumar has already been granted regular bail by this Court *vide* order dated 09.08.2024 passed in Cr. Misc. No. 31342 of 2024. Petitioner claims clean antecedent and is in custody since 30.03.2026. Charge-sheet has already been submitted.

5. However, learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation, clean antecedent, claim based on parity and period of custody, this bail application is allowed. The petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge 6th cum Special Judge POCSO-III, Muzaffarpur in connection with Bochahan P. S. Case No. 353 of 2019.

(Prabhat Kumar Singh, J)

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