

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.32153 of 2018**

Arising Out of PS.Case No. -42 Year- 2013 Thana -GHORASAHAN District-  
EASTCHAMPARAN(MOTIHARI)

=====

Vijay Kumar @ Vijay Kushwaha @ Vijay Prasad, S/o late Anirudh Mahto,  
Village- Amwa, P.S.Jharokhar (Ghorashan), Distt. East Champaran.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

=====

**Appearance :**

For the Petitioner : Mr. Ajay Kumar Singh, Advocate.

For the Opposite Party : Smt. Gulnar Begam, A.P.P.

=====

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

3      28-06-2018                      Heard learned counsel for the petitioner and the learned  
counsel appearing on behalf of the State.

The petitioner is in custody since 17.02.2018 in  
connection with Ghorasahan P.S. Case No. 42 of 2013 registered  
for the offence under Sections 363, 447, 365/34 of the Indian  
Penal Code.

Learned counsel for the petitioner submits that the  
allegation made against the petitioner is vague and indistinct and  
cannot form substance of any conviction. It is further submitted  
that the prosecution is wholly unwarranted and the victim in her  
statement under Section 164 Cr. P. C. has not alleged any sexual  
attack nor she has identified the petitioner. It is further submitted



that another similarly situated co-accused person, namely, Sanoj Rai, who was alleged to have made the victim unconscious by sprinkling something has been acquitted from the charges levelled against him in Sessions Trial No. 539 of 2013/324 of 2013.

Having taken into consideration all facts and circumstances of the case, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Sikrahna at Dhaka, East Champaran, Motihari, in connection with Ghorasahan P.S. Case No. 42 of 2013.

U.K./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

(Anjana Mishra, J)

