

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48048 of 2018

Arising Out of PS.Case No. -291 Year- 2017 Thana -RAJIVNAGAR District- PATNA

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1. Abhijit Kumar, Son of Sri Dinesh Rai, Resident of Village- Rajiv Nagar,
Veer Kuar Singh Chok, Police Station- Rajiv Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh

For the Opposite Party/s : Mr. Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-09-2018 The petitioner seeks regular bail in connection with

Rajeev Nagar P.S. Case No. 291 of 2017, registered for offences

punishable under Section 376(D) of the Indian Penal Code and

Section 4 of POCSO Act.

Allegation against the petitioner and others is of

committing rape with the informant.

It has been submitted on behalf of the petitioner that

petitioner has falsely been made accused in this case, which will

appear from the fact in the first version of the case i.e. F.I.R., the

petitioner was no where in the picture as in the F.I.R. it is alleged

that Shankar Yadav, Rishabh, Raju and Raushan committed rape

on her but subsequently, the girl in her statement recorded under

Section 164 Cr.P.C. has named the petitioner as one of the



persons, who also committed rape with her and also stated that the Raushan had not committed rape with her. Further petitioner has been in judicial custody since 20.11.2017.

Heard learned A.P.P. also.

Considering the aforementioned facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000, (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge, -I –cum Special Judge, POCSO, Patna, in connection with Rajeev Nagar P.S. Case No. 291 of 2017, with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates



without showing any genuine reasons, the
prosecution is free to move for cancellation
of his bail.

(Vinod Kumar Sinha, J)

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