

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22623 of 2019

Arising Out of PS. Case No.-101 Year-2018 Thana- MAHILA P.S. District- Rohtas

VIKASH KUMAR Son of Madan Singh Resident of Village- Bhaluahi, P.S.-
Baghalia, District- Rohtas (Sasaram).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-04-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Mahila (Dehri) P.S. Case
No. 101/2018, instituted for offence under Section(s) 376 DA of
the Indian Penal Code read with Section 4 of POCSO Act.

It is alleged in the written report that on 25.02.2018
and in the month of July, 2018 this petitioner along with two
other accused persons forcibly took the victim in the go-down of
Vikash Kumar and committed rape with her. She has mentioned
in the written report that she did not make complain to anybody
because of fear. It is alleged that one week prior to lodging of
the F.I.R. victim felt stomach pain. Thereafter father of victim
went to the medical shop and brought medicine for her.
Suddenly bleeding started then she came to know that she is



pregnant.

From the written report, it appears that informant has not lodged any complain earlier levelling allegation against the petitioner.

From the impugned order it appears that no statement of victim girl under Section 164 Cr.P.C. has been recorded. Learned 1st Addl. Sessions Judge, Rohtas at Sasaram has mentioned in the impugned order that as per case diary age of the victim differs from Adhar Card as well as Identity Card.

Petitioner is in custody since 24.11.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, 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 Addl. District Judge, Rohtas (Sasaram), in connection with Mahila (Dehri) P.S. Case No. 101/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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