

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40810 of 2019**

Arising Out of PS. Case No.-330 Year-2018 Thana- SONEPUR District- Saran

=====

VIJAY RAI @ VIJAY KUMAR Son of Nakh Narayan Rai Resident of  
Village - Kasmar, Rahimpur, P.S.- Sonapur, Distt - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Ashraf Ansari

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

4      13-09-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner who is in custody since 28.02.2019 has  
filed the instant application for grant of bail in connection with  
Sonapur P.S. Case No. 330 of 2018 registered for the offence  
punishable under sections 376(i),120B of the Indian Penal Code  
and section 3/16 of the POCSO Act, 2012

As per the allegation in the FIR, the petitioner and  
Nausad Mian insisted upon the informant for coming with them  
with intention to elope with Arman. It is thereafter alleged that  
the petitioner took her to a house where Arman was present and  
it was Arman who misbehaved with her. On return of the  
informant, her statement was recorded under Section 164 of the  
Cr.P.C. in which she has more or less supported her statement  
made in the F.I.R.

It is submitted by learned counsel for the petitioner



that even as per the allegation in the F.I.R., the petitioner is said to have taken the informant on a motorcycle to the house where Arman was present. It is further submitted that there was love affair between the informant and Arman. The petitioner and other persons have been falsely implicated only because of their friendship with Arman. It is further submitted that co-accused Nausad Miya@ Nausad Mian has been enlarged on bail vide order dated 28.09.2018 passed in Cr. Misc. No.54378 of 2018.

The application for bail was opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including grant of bail to the co-accused, the petitioner being in custody since 28.02.2019, let the petitioner above named 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 the learned Additional District Judge-1, Saran in connection with Sonapur P.S. Case No. 330 of 2018.

**(Partha Sarthy, J)**

Bibhash/-

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