

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25795 of 2020**

Arising Out of PS. Case No.-476 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

PANKAJ KUMAR Son of Shambhu Das Resident of Village - Bahilbara
Dhanushi, P.S.- Runnisaidpur, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

4 19-10-2020 Heard learned counsel for the parties.

This application for grant of regular bail arises out of Runnisaidpur P.S. Case No. 476 of 2019, disclosing offences punishable under Sections 363, 366A/34 of the Indian Penal Code.

According to the prosecution case, the victim herself, who is the informant, was kidnapped by one Gopal Kumar and this petitioner on 28.09.2019. There is allegation against the co-accused of having committed rape on victim and of having taken photographs. The First Information Report came to be registered on 14.11.2019. It is the petitioner's case that even as per the case of the prosecution, there is no allegation against the petitioner of any sexual assault. It has been stated in paragraph



10 of the application that the victim had returned on 01.10.2019 whereafter her statement under Section 164 of the Code of Criminal Procedure was recorded, wherein, she did not allege any overt act against the petitioner.

Learned counsel for the petitioner has also drawn my attention to Annexures 4, 4/1 and 4/2 to contend that even the victim has subsequently revived from her allegation made in the First Information Report.

Considering the fact and circumstances and the submissions made on behalf of the petitioner as noted above, this application 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 ACJM, Sitamarhi in Runnisaidpur P.S. Case No. 476 of 2019.

(Chakradhari Sharan Singh, J)

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