

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23025 of 2020

Arising Out of PS. Case No.-162 Year-2019 Thana- BHELDI District- Saran

RAJESH YADAV @ LAL BILAIYA @ BILAIYA Son of Yogendra Prasad
Resident of Village-Basatpur (Basantpur), P.S.-Bhaldi, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rina Sinha

For the Opposite Party/s : Mr. Raj Ballabh Sinah

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 16-10-2020 Heard Mrs. Rina Sinha, learned counsel for the
petitioner and Mr. Raj Ballabh Singh, learned counsel
appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Sessions Trial No. 63 of 2019 arising out of Bhaldi P.S. Case
No. 162 of 2019 registered for the offence under Section 376
(D) / 34 of the I.P.C. and Section 4 / 6 / 8 of the POCSO Act.

The prosecution story as per the First Information
Report is that while the informant was returning from School,
she was accosted by one Rana Pratap Singh and 4-5 unknown
persons and they committed rape upon the informant one by
one.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case inasmuch as



during the course of investigation the mother of the informant has disclosed that apart from the F.I.R. named accused person Rana Pratap Singh, two more persons namely, Rajesh Singh @ Rajesh Raj and Krishna Rai @ Krishna Yadav had committed rape upon her daughter. Learned counsel further submits that Rajesh Singh @ Rajesh Raj and Krishna Rai @ Krishna Yadav have been granted bail by this court in Cr. Misc. No. 63899 of 2019 and CR. REV No. 61 of 2020 respectively. Learned counsel further submits that under Section 164 of the Cr.P.C. the statement of the victim girl was also recorded in which she has not disclosed the name of petitioner and name of the petitioner has transpired on the basis of the confessional statement of the co-accused Rana Pratap Singh. Learned counsel also submits that the medical report does not support the prosecution story of rape. Learned counsel further submits that petitioner is in custody since 06.07.2019.

Having heard learned counsel for the parties and taking into consideration the materials available on record, the fact that similarly situated accused persons have been granted bail by this court and the petitioner is in custody since 06.07.2019, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bond of Rs. 10,000/-
(ten thousand) with two sureties of the like amount each to the
satisfaction of learned Addl. Sessions Judge -Ist, Special Judge,
POCSO, Saran / court concerned in connection with Sessions
Trial No. 63 of 2019 arising out of Bheldi P.S. Case No. 162 of
2019.

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding lockdown
and social distancing.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

