

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31721 of 2020

Arising Out of PS. Case No.-159 Year-2020 Thana- PATRAKARNAGAR District- Patna

VIKASH KUMAR Son of Krishna Ram Resident of Ambedkar Colony,
Hanuman Nagar, P.S.- Patrakar Nagar, District- Patna.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner	:	Dr. Anand Kumar, Advocate.
For the State	:	Mr. Binod Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 09-12-2020 In view of the submission and undertaking of the learned counsel for the petitioner, at the time of hearing of this application, through Video Conferencing, that he would remove the defect(s), as pointed out by the office vide its notes dated 24.11.2020, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State, through Video Conferencing.

The petitioner seeks bail in connection with Patrakar Nagar P.S. Case No.159 of 2020 registered under Sections 363 and 365 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner



submits that it would appear from the F.I.R. that due to non-returning of the victim, aged about 14 years, the niece of the informant, Parshuram Mochi, from Coaching Centre, the present case was lodged against unknown. In course of investigation, the statement of the victim under Section 164 of the Code of Criminal Procedure was recorded, in which she has stated that while she was going to attend the coaching, in the way, the petitioner Vikash Kumar, who is known to her, met her and accompanied her saying for some urgent work and carried her at the house of Santosh. Thereafter, the petitioner and Santosh consumed liquor and scuffled and slept in the night in drunken state. Early, in the morning, Santosh woke up and committed rape on her in spite of protest made by her. In spite of raising alarm by her, when the petitioner did not wake up, then she went in another room, where she found the key and, anyhow, on opening the lock of the door, she came out of the house and sat in the park, where the police and her uncle ('Phupha') came and carried her at the police station. She has not stated about any misbehave committed by the petitioner on her. The petitioner has no criminal antecedent and is in custody since 28.02.2020.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released



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 Sub-Judge-VIII, Patna, in connection with Patrakar Nagar P.S. Case No.159 of 2020.

(Rajendra Kumar Mishra, J)

P.S./-

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

