

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2904 of 2022

In
CRIMINAL APPEAL (SJ) No.3586 of 2021

Arising Out of PS. Case No.-124 Year-2020 Thana- ROHTAS District- Rohtas

SHUBHAM KUMAR SINGH @ SHUBHAM KUMAR Son of Late
Nagendra Singh @ Late Narendra Singh Resident of Village- Kalyanpur, P.S.-
Rohtas, Distt- Rohtas (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh

For the Opposite Party/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 29-03-2022

Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Section 366(A) / 34, 365, 370(H), 376(DA), 120B/34 of the Indian Penal Code, Section 4(2), 6 of the POCSO Act, Section 3(2)(v) of the ST/ST Act and Sections 9, 10 and 11 of the Prevention of Child Marriage Act.

It is submitted on behalf of petitioner that though, petitioner is named in the F.I.R., but the victim girl, in her statement recorded under Section 164 Cr.P.C., has not named this petitioner, as one of the accused, who committed rape upon her. Similarly situated co-accused namely Akash Kumar has been granted bail by this Court, vide order dated 21.03.2022 in Cr.Misc. No. 50924 of 2021 and petitioner is in custody since



24.07.2020.

Learned Special P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances as well as period of custody and statement of the victim recorded under Section 164 Cr.P.C., the bail petition of petitioner is allowed. Let the above named petitioner 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 learned A.D.J.-VII cum Special Judge, POCSO Act & SC/ST Act, Rohtas at Sasaram in connection with POCSO Case No. 47 of 2020, arising out of Rohtas P.S. Case No. 124 of 2020.

(Prabhat Kumar Singh, J)

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