

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7426 of 2022

Arising Out of PS. Case No.-77 Year-2021 Thana- MAHILA P.S. District- Samastipur

1. Dilip Kumar @ Dilip Thakur Son of Bihari Thakur Resident of Village - Singhia South, Ward No.12, P.S.- Bibhutipur, Distt.- Samastipur.
2. Ram Lalit Singh Son of Ram Lal Singh @ Ram Lal Mahto Resident of Village - Singhia South, P.S.- Bibhutipur, Distt.- Samastipur.
3. Pappu Kumar Son of Ram Jatan Singh @ Ram Lagan Singh Resident of Village - Shivrathpur Ward No.1, P.S.- Bibhutipur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh
For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-05-2022 Heard both parties.

The petitioners seek bail in Mahila P.S. Case No. 77 of 2021, registered for the offence punishable under Sections 376(DA), 363, 366(A)/34 of the Indian Penal Code, sections 4, 6 of the POCSO Act and section 67(A) of the Information Technology Act.

As per the prosecution case, on the alleged date and time of occurrence, informant aged about 15 years, called her boyfriend one Manish Kumar and when she was returning back with Manish Kumar, on the way, these petitioners and one Kailash forced the informant and Manish Kumar to make physical relation and Pappu made video of the same.



Thereafter, these petitioners also made physical relation with her one by one.

It is submitted on behalf of the petitioners that petitioners have falsely been implicated in this case. The informant in her statement under Section 164 Cr.P.C has stated that no such occurrence took place and she did not identify anyone except Manish Kumar and said that she wanted to marry Manish Kumar and Manish is also ready to marry her. The informant was medically examined and the doctor has assessed her age between 17-18 years and no external or internal injury were found on her private part. Petitioners are in custody since 20.09.2021.

In view of statement of informant/victim girl under Section 164 Cr.P.C, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI-cum-Special POCSO Act, Samastipur in connection with Mahila P.S. Case No. 77 of 2021.

(Prabhat Kumar Singh, J)

vinita/-

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