

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20989 of 2022

Arising Out of PS. Case No.-87 Year-2021 Thana- SAHODARA District- West Champaran

AMRESH KUMAR, Son of Late Lalan Sahani Resident of Village - Parsadih,
Police Station - Sahodra, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Satyendra Narayan Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 08-09-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered u/s 376 of the Indian Penal
Code and sections 8 and 18 of POCSO Act.

As per the prosecution case, the petitioner took the
minor daughter of the informant and committed rape on her
forcibly.

Learned counsel for the petitioner has submitted that
the petitioner is innocent and he has falsely been implicated in



this case. The statements made by the victim recorded under Section 161 and 164 of the Cr.P.C. are different. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. Learned counsel for the petitioner has further submitted that as per the school certificate dated 25.02.2022 issued by Rajkiya Utkramit Madhya Vidyalaya, Pasradih, Gaunahar, West Champaran, the age of victim is about 20 years. Learned counsel for the petitioner has further submitted that as per the medical examination of the victim, there is no recent sign of sexual assault . The petitioner is in custody since 30.09.2021.

Learned A.P.P. for the State has opposed the bail petition of the petitioner and has submitted that as per the medical examination the age of the victim is assessed between 15 to 17 years.

Considering the aforesaid facts and circumstances as well as the fact that there is no recent sign of sexual assault on the victim, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Sahodra P.S. Case No. 87 of 2021.



The application stands allowed.

(Chandra Prakash Singh, J)

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