

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45476 of 2021

Arising Out of PS. Case No.-50 Year-2021 Thana- FATEHPUR District- Gaya

Shrawan Kumar S/o Bhola Yadav Resident of Village- Fatehpur (Shitalpur),
P.s. - Fatehpur, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Onkar Nath

For the Opposite Party/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-01-2022 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Fatehpur P.S. Case No. 50 of 2021 bearing POCSO Case No. 40 of 2021, registered for the offence punishable under Sections 354(d), 376(d) of the Indian Penal Code, section 6 of the POCSO Act and sections 3(i)(r)(s) (w), 3(2)(va), 3(2)(v) of the SC/ST (Prevention of Atrocities Act).

As per the prosecution case, this petitioner, co-accused Chhotu Kumar and co-accused Rohit Kumar took the informant and her friend in forest area. Co-accused Chhotu Kumar committed rape with informant and co-accused Rohit Kumar committed rape with another girl.



It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Specific allegation of commission of rape is against other co-accused persons. Even the victim girls in their statement under Section 164 Cr.P.C have fairly stated that petitioner has only accompanied the co-accused persons and has not committed anything wrong with them. Petitioner is in custody since 23.02.2021 having clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO-cum-Additional District & Sessions Judge VI, Gaya in connection with Fatehpur P.S. Case No. 50 of 2021 bearing POCSO Case No. 40 of 2021.

(Prabhat Kumar Singh, J)

vinita/-

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