

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46158 of 2021

Arising Out of PS. Case No.-66 Year-2021 Thana- BEN P.S. District- Nalanda

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1. SHAIENDRA KUMAR Son of Shiv Kumar Singh Resident of village - Padumbigha, Police Station - Ben, District - Nalanda.
 2. Sanni Kumar Son of Paras Nath Varma Resident of village - Ben, Police Station - Ben, District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 27-01-2022 Heard learned counsel for the petitioners and the State.

The matter has been taken up through video conferencing.

Petitioners seek regular bail in a case registered for the offence punishable under Section 376(D/A) of the Indian Penal Code and u/s 4 of POCSO Act.

As per the prosecution case, these petitioners along with one other co-accused persons kidnapped the minor daughter of the informant and committed rape with her.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in



the case. It is submitted that during medical examination the doctor did not find any sign of recent sexual intercourse. Moreover, during the course of trial the informant and the victim did not support the prosecution case. Petitioners claim clean antecedent and are in custody since 02.06.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case, the period of custody of the petitioners and the deposition of the informant and the victim, let the petitioners, above named, 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 Additional Sessions Judge-VII-cum- Special Judge, POCSO Act, Nalanda at Bihar Sharif in connection with Ben PS case No.66/2021.

(Prabhat Kumar Singh, J)

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