

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47494 of 2021

Arising Out of PS. Case No.-307 Year-2020 Thana- BALIYA District- Begusarai

Rahul Kumar, S/O Ashok Khalifa @ Ashok Khalipha, Resident Of Village-
Mohanpur, P.S.- S. Kamal, District- Begusarai.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar- Advocate

For the Opposite Party/s : Mr. Rabindra Kumar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 11-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 370, 368, 365, 354A, 346, 370A, 376 of the Indian Penal Code and Sections 3,4, 5 and 6 of the Immoral Trafficking Act.

The learned counsel for the petitioner submits that the petitioner is in custody since 13.03.2021, he is a person with clean antecedent and charge-sheet has been submitted in this case.

The learned counsel for the petitioner further submits that the informant alleges that she proceeded for her maternal grandmother's house at Sitamarhi after quarreling with her husband and when she sat in the auto, the auto driver Rahul and



one boy also sat with her. They made her unconscious and when she regained unconsciousness, she found herself at Munger in the house of Priti and Talim along with several other ladies where she lived for 3-4 days. During the course of stay, she was intoxicated and injected, on account of which, she used to become senseless and was even raped by some unknown person. It is further alleged that the informant lived there for a week and thereafter, she was brought at Shakti Chaura where she lived for 10-15 days. During the course of which, the accused persons used her for illegal act, but somehow she fled and she reached Ballia Police Station and instituted the present F.I.R.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the case. From bare perusal of the Statement of the victim recorded under Section 164 of the Cr.P.C., it would manifest that she has not even named the petitioner in her statement under Section 164 of the Cr.P.C.

Learned A.P.P. opposes the bail application, but is not able to meet the submission made by the learned counsel for the petitioner based on the statement of the victim recorded under Section 164 of the Cr.P.C.

Considering the fact that the petitioner is in custody,



he is a person with clean antecedent and charge-sheet has been submitted in this case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ballia P. S. Case No.307 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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