

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56067 of 2021

Arising Out of PS. Case No.-103 Year-2020 Thana- CHAKIA District- East Champaran

RAVI PRAKASH @ LADDU SINGH Son of Chandeshwar Singh R/o
Village- Ramihida, P.S.- Chakia, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prateek Tandon, Adv.
For the Informant	:	Mr. Rajesh Kumar, Adv.
For the State	:	Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 05-04-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363, 366A, 376 and 120B of the Indian Penal Code and section 4 of the POCSO Act.

It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 22.3.2021 (Annexure-1) passed in Cr. Misc. no.36381 of 2020. Learned counsel for the petitioner referring to the statement of the victim under section 164 Cr.P.C. (Annexure-3) submits that from bare reading of the same, it would transpire that although the victim has named the petitioner as one of the accused, so far as the allegation of rape is concerned, the same has been made solely against Prabhat Kumar. The said Prabhat Kumar has been enlarged on bail vide



order dated 26.8.2021 passed in Cr. Misc. no.12913 of 2021. It is further submitted that in the statement under section 164 Cr.P.C., the victim has also made allegations against co-accused Nilu Devi. The said Nilu Devi has also been enlarged on bail vide order dated 21.12.2021 passed in Cr. Misc. no.33581 of 2021. The case of the petitioner stands on a better footing to that of co-accused Prabhat Kumar and Nilu Devi. The petitioner is in custody since 4.7.2020 and undertakes to cooperate in the trial.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant.

Having heard learned counsel for the parties and taking into consideration the facts of the case specially grant of bail to the above named two accused Prabhat Kumar and Nilu Devi, the Court directs the petitioner to be enlarged on bail in connection with Chakia P.S. Case no.103 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional District and Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari.

(Partha Sarthy, J)

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