

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61389 of 2021

Arising Out of PS. Case No.-73 Year-2019 Thana- MAHILA P.S. District- Kaimur (Bhabua)

BIPUL KUMAR RAY @ ANISH KUMAR RAY @ ANISH RAY SON OF
DAYA SHANKAR RAY RESIDENT OF VILLAGE- RUIYAN, P.S.-
BHABUA, DISTRICT- KAIMUR AT BHABUA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-05-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 341, 323, 354D, 366A, 376D, 511 and 34 of the Indian Penal Code and section 4 of the POCSO Act.

As per the prosecution case, it is stated by the informant that three accused persons forcibly made her to sit on their motorcycle and tried to force themselves upon her. She states that she managed to resist and to escape from their grip.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. The name of the petitioner transpired in course of investigation in the confessional statement of a co-accused made before police. The informant does not name the petitioner in her statement



under section 164 Cr.P.C.. Further the aforesaid co-accused Raksha Kumar has been enlarged on bail vide order dated 6.3.2020 passed in Cr. Misc. no. 82544 of 2019. The petitioner is in custody since 3.9.2021 and investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation, grant of bail to co-accused Raksha Kumar on whose confessional statement before police the name of the petitioner transpired together with the petitioner having remained in custody for 8 months, the petitioner is directed to be enlarged on bail in connection with Mahila (Bhabua) P.S. Case no. 73 of 2019 (POCSO Case no. 33 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 Addl. Sessions Judge V – cum – Special Judge, POCSO Act, Kaimur at Bhabua.

(Partha Sarthy, J)

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