

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5931 of 2023

Arising Out of PS. Case No.-8 Year-2022 Thana- IMAMGANJ District- Gaya

DIPAK RAI @ SONU KUMAR S/o Late Devi Nandan Singh @ Lt Deo
Nandan Singh R/o - Karmaun, P.S.- Imamganj, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pawan Kumar Singh, Adv.
		Mr. Kamalesh Kumar, Adv.
For the Opposite Party/s :		Mr.Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Imamganj P.S. Case No. 8 of 2022 registered for the offences punishable under Sections 341, 323, 354, 504, 506 of the Indian Penal Code later on Sections 354 (A), 366 (A), 376/506 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offence Act.

The learned counsel for the petitioner has submitted that the petitioner is under custody for about one year for the allegation that he kidnapped the minor daughter of the informant and committed rape upon her.

The learned counsel for the petitioner has submitted



that in her statement under Section 164 of the Cr.P.C. the victim has levelled allegation against the petitioner, on pressure of her parents. She had love and affection with the petitioner and she filed an application before *sarpanch* in which she has stated that she has solemnized marriage with the petitioner in Banke Bihari Temple. Her parents, grandfather and uncle forcibly brought her to her native place and they forcibly got her pregnancy terminated and procured her signature on a paper. The xerox copy of that application has been filed by the learned counsel for the petitioner which contains the signature of the victim.

Considering the above-mentioned facts and circumstances and also considering that the petitioner is under custody for about one year, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned court of Exclusive Spl Judge POCSO-cum-Addl. Sessions Judge-VII, Gaya in connection with Imamganj P.S. Case No. 8 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in



the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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