

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.8810 of 2023**

Arising Out of PS. Case No.-284 Year-2022 Thana- JAMHOR District- Aurangabad

Prahalad Kumar @ Prahala Kumar @ Chhotu Vishwakarma S/O Gopal  
Vishwakarma R/O Village- Amlona, P.S.- Jamhore, Distt- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gita Kumari D/o Gurucharan Manjhi R/o village- Manpur, P.S.- Fatehpur,  
Distt- Gaya.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Binod Kumar Pandey  
For the Opposite Party/s : Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      08-05-2023                      Heard learned counsel for the petitioner and  
learned APP for the State.

The petitioner has prayed for regular bail in a case  
registered for the offence punishable under sections 376,  
504 of the IPC and Sections 3(i)(r)(s)(w)(i)(ii)/3(2)(v) of  
SC/ST Act and Section 12 of POCSO Act.

As per FIR, It is a case of commission of rape  
with the victim by the petitioner on the false pretext of  
marriage.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. As per statement of the victim recorded under section 164 of the Cr.P.C., which is annexed with case diary in which she stated that about 11 years ago, she was solemnized marriage with one Rambachan Manjhi and they have a nine years old girl, who resides with her maternal grandmother. It is submitted that the victim is a major lady and due to love affair, she deliberately developed intimacy with the petitioner for ulterior motives. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 26.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Jamhore P.S. Case No. 284 of 2022 on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of the like  
amount each to the satisfaction of learned Chief Judicial  
Magistrate, Aurangabad.

(Sunil Kumar Panwar, J)

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