

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7664 of 2023

Arising Out of PS. Case No.-277 Year-2022 Thana- JANDAHA District- Vaishali

Abhinandan Kumar @ Ghanti, Son of Raj Kumar Paswan, Resident of
Village- Rampur Ramhar, P.S.- Jandaha, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-05-2023 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(D)/34 of the Indian Penal Code and Section 4/12 of Protection of Children from Sexual Offence (POCSO) Act.

The prosecution case, in brief, is that while the daughter of the informant was going to school, co-accused Amod Ram abducted her and committed gang rape with her in collusion with co-accused Raushan Kumar, Chhotu Paswan and three unknown persons.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in the F.I.R. The victim in her statement recorded u/s 164 Cr.P.C. has not named the petitioner whereas she has named co-accused Amod Ram. The name of the petitioner has been transpired in the confessional statement of co-accused Kunal Kumar. Victim has not whispered about the complicity of petitioner in the alleged offence. He has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 15.09.2022.

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 period of 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 Jandaha P.S. Case No. 277 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 Addl. Sessions Judge-VI-cum-Special Judge,
POCSO, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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