

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12715 of 2022

Arising Out of PS. Case No.-513 Year-2018 Thana- BAKHTIYARPUR District- Patna

TUNTUN KUMAR RAI Son of Lalan Rai Resident of Village - Naya Tola,
Bakhtiyarpur, Distt.- Patna. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Spl. (POCSO) Case no. 209 of 2018 arising out of Bakhtiyarpur
P.S. Case No. 513 of 2018 instituted for the offence under
Sections 323, 341, 307, 385, 365, 427, 354,34 of the Indian
Penal Code and Section 12 of the POCSO Act.

As per allegation in the FIR, all the accused persons
demanded ransom from the driver of the informant and on
protest they entered inside the house of the informant after
breaking the door and assaulted the daughter of the informant
and fled away.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. For the
same offence, husband of the informant has lodged an FIR



bearing Bakhtiyarpur P.S. Case No. 519 of 2018 against all the accused persons. In statement of the victim girl recorded under Section 164 Cr.P.C., she has not whispered the name of the petitioner. Similarly situated other co-accused persons have already been granted regular bail by a different co-ordinate Bench vide order dated 8.12.2021 passed in Cr. Misc. No. 37911 of 2021, vide order dated 17.10.2019 passed in Cr. Misc. No. 64778 of 2019. Petitioner is in custody since 5.02.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI-cum-Spl. Judge POCSO Court, Patna in connection with Spl. POCSO Case no. 209 of 2018 arising out of Bakhtiyarpur P.S. Case No. 513 of 2018.

(Sunil Kumar Panwar, J)

sushma/-

U		T	
---	--	---	--

