

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14824 of 2023**

Arising Out of PS. Case No.-144 Year-2021 Thana- JAMHOR District- Aurangabad

CHUNNU KUMAR @ RIKESH KUMAR S/O RADHE SHYAM SHARMA
Resident of village- Pipra, P.S.- Jamhore, District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar No.6
For the Opposite Party/s : Mr.Usha Kumari 1

**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 instituted for the offence under Section 376 of the Indian Penal Code, Section 4 of the POCSO Act and Sections 3(i)(w)(ii), 32(2)(v) of the SC/ST (Prevention of Atrocities) Act.

The allegation against the petitioner is of raping the daughter of the informant.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. The victim girl has recovered and her statement recorded u/s 164 of the Cr.P.C., in which she stated that she solemnized marriage with this petitioner four months ago in a temple. She does not whisper about the commission of



rape by this petitioner. As per Medical report, the victim is aged about more than 18 years. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 12.09.2021.

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-cum-Special Exclusive Judge (POCSO), Aurangabad in connection with Jamhor P.S. Case No. 144 of 2021.

(Sunil Kumar Panwar, J)

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