

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26412 of 2023

Arising Out of PS. Case No.-382 Year-2022 Thana- BAHADURPUR District- Patna

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VINAY KUMAR @ VINAY RAY Son of Late Vakil Ray Resident of Village
- Mahammadpur, Bakhtiyarpur, Ranisiray, P.S.- Bakhtiyarpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-07-2023 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 section 376 of the Indian Penal Code and Sections 4, 8, 12 of the POCSO Act.

As per prosecution case, the informant who is victim of this case alleged that the petitioner caught hold her and forcefully established physical relationship after confined her in a room. Thereafter this case has been registered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner and the informant are close relative and due to dirty village politics, the petitioner has falsely been implicated in this case. From perusal of FIR as well as statement of victim



recorded u/s 164 of the Cr.P.C., there is contradiction between both the statement. The victim did not say a single word against the petitioner in her statement of 164 of Cr.P.C. The petitioner has got no criminal antecedent as stated in para-3 of the petition. It is further submitted that the petitioner is languishing in judicial custody since 19.11.2022.

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 Bahadurpur P.S. Case No. 382 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 A.D.J.-cum-Special Judge POCSO Act, Patna.

(Sunil Kumar Panwar, J)

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