

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22497 of 2023**

Arising Out of PS. Case No.-530 Year-2022 Thana- SUGAULI District- East Champaran

SONU KUMAR S/O LATE RAMESH PRASAD @ RAMESH RAUT
Resident of Village- Chhapwa, P.O.- Fulwariya, P.S.- Sugauli District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Rajendra Nath Jha

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Sugauli P.S. Case No. 530 of
2022 dated 12.12.2022 registered for the offences punishable u/s
420, 328, 376 of the Indian Penal Code and 67 I.T. Act.

As per the prosecution case, the petitioner is alleged



to have offered sweets to the informant in Mela and after eating the sweets, the informant became unconscious and after that she was kept in a locked room. Thereafter, anyhow the informant came to her house. After sometimes the informant's half-nude photo was made viral on social media.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that there was love affair between them. The victim is a major girl and both the parties was fully aware of the acts. It is further submitted that the victim was not medically examined by the doctor regarding rape. Hence, the offence under section 376 of the IPC is not made out against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 14.12.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Motihari, East Champaran in connection with
Sugauli P.S. Case No. 530 of 2022, with the condition-:

1. The petitioner is directed to remain physically
present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bonds of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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