

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28784 of 2023

Arising Out of PS. Case No.-199 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

Rohan Kumar @ Lalbabu Bind Son Of Moti Bind Resident Of Village- Po-
Rudrawar Kala, Ps- Sonhan , Nawagaon, Distt- Kaimur (BHABHUA) Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Kumar

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 11-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 376, 323 of the Indian Penal Code, Section 6 of POCSO Act and Section 66(D) of IT Act.

The allegation against the petitioner is that he ravished the minor daughter of the informant and made a video of the alleged offence. It is further alleged that the petitioner threatened the victim of making the video viral if she will shout.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is love affair between the petitioner and the victim. There is inordinate delay of more than 2 months in lodging the F.I.R. It is submitted that victim girl in her cross examination has deposed before the Trial Court by a categorical denial so as to have made any statement before the police in respect to the fact of committing any untoward act by the petitioner. She had made her statement in the court under coercion, threat and upon being tutored by the police. Medical report does not corroborate with the prosecution version of the case. Moreover, the petitioner is languishing in judicial custody since 12.03.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties



and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bhabhua P.S. Case No. 199 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge POCSO, Bhabhua.

(Sunil Kumar Panwar, J)

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