

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32975 of 2023

Arising Out of PS. Case No.-277 Year-2022 Thana- JANDAHA District- Vaishali

Kunal Kumar Son Of Shri Amarjeet Paswan Resident Of Village - Barhabatta,
P.S. - Jandaha, Distt. - Vaishali, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kriti Suman

For the Opposite Party/s : Mr.Jagdhari Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-08-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 376(D)/34 of the Indian Penal Code and Section 4/12 of the Protection of Children From Sexual Offences Act.

The prosecution case in brief is that while the daughter of the informant was going to school, co-accused Amod Ram abducted her and committed gang rape with her in collusion with co-accused Raushan Kumar, Chhotu Paswan and three unknown persons.



It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner is not named in the F.I.R and his name subsequently sprang up during the course of investigation. The victim in her 164 Cr.P.C statement has not named the petitioner and she has specifically alleged against co-accused Amod Das. The petitioner is languishing in custody since 15.09.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, other similarly situated co-accused has been granted bail by this Court vide order dated 17.05.2023 passed in Cr. Misc. No. 7664 of 2023.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-



(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court, POCSO-cum-Additional District Judge-VI, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 277 of 2022.

Shageer/-

(Sunil Kumar Panwar, J)

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