

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37586 of 2023

Arising Out of PS. Case No.-4 Year-2023 Thana- BYPASS District- Patna

=====

Sugriv Kumar @ Sugriv S/O Late Jaipal @ Late Jaipal Prasad R/O Village-
Bahri Begumpur, Jalla Mahavir Mandir, P.S.-Baypass, Dist.-Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rudal Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 10-10-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 376(d) of the Indian Penal Code and Sections 4, 6 and 8 of the POCSO Act.

3. As per FIR, the informant alleged that the petitioner, co-accused persons including one tempo driver committed rape with the her minor daughter.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this



present case merely on the basis of suspicion. He has no concern with the alleged occurrence. As per statement of the victim recorded under Section 161 the Cr.P.C., which is annexed with case diary, wherein she has not stated about the complicity of the petitioner in this alleged occurrence rather in her statement recorded under Section 164 of the Cr.P.C., which is also annexed with case diary wherein she has stated that the petitioner was involved in this alleged occurrence, which shows there is contradiction in her statement. It is further submitted that the medical report has also not supported the prosecution version. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 05.01.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bypass P.S. Case No. 04 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned Additional District and Sessions Judge-VII-cum
Exclusive Special Court POCSO Act, Patna.

(Sunil Kumar Panwar, J)

Manishkr/-

U		T	
---	--	---	--

