

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40902 of 2023

Arising Out of PS. Case No.-136 Year-2023 Thana- SURYAGARHA District- Lakhisarai

Dilkhush Kumar Son Of Fulendra Yadav Resident Of Village- Chananiya, Ps-
Surjgarha, Distt- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-09-2023 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 sections 458, 376, 511, 506 and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. Allegation against the petitioner along with other co-accused person is that they forcibly entered in the room of the informant and started outraging the modesty with her. Further this petitioner tried to commit rape.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that there is love affairs between the petitioner and the informant due



to which they used to meet together. It is also submitted that the informant has not stated any physical abuse or physical assault with her against the petitioner along with other co-accused in her statement recorded under Section 164 of the Cr.P.C. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 24.04.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Surajgarha P.S. Case No. 136 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 Sessions Judge-VI-cum-Special Judge POCSO Court, Lakhisarai.

(Sunil Kumar Panwar, J)

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