

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42630 of 2023**

Arising Out of PS. Case No.-120 Year-2019 Thana- BARGAINIA District- Sitamarhi

Dharmendra Das Son Of Vindo Das Resident Of Village- Kushmari, P.S-  
Riga, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ritesh Kumar Narain Singh

For the Opposite Party/s : Mr.Surendra Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

4      19-09-2023                      1. 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 323,  
386, 376, 120B, 34 of the Indian Penal Code and Section 4 of  
POCSO Act.

3. As per FIR, the allegation against the petitioner is  
that he committed rape to the informant's daughter on false  
pretext of marriage and also abducted her daughter. When  
informant went house of the petitioner for query, accused  
persons abused and threatened her.

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 due to village politics.



As per Para-55 of the Case Diary it appears, that victim girl is a major who is aged about 19-21 years and informant has also admitted that the petitioner used to come her house and established relation with her daughter which means there is consensual relation between the petitioner and the victim. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 15.05.2023.

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 Bairgania P.S. Case No. 120 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

**(Sunil Kumar Panwar, J)**

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