

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46192 of 2023

Arising Out of PS. Case No.-311 Year-2020 Thana- SHERGHATI District- Gaya

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LAKHA KUMAR @ SHIV NATH KUMAR Son of Rajdeo Manjhi @
Rajdev Bhuiyan @ Rajdeo Mandal Resident of village - Bangalidih, P.S. -
dobhi, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad
For the Opposite Party/s : Mr. Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed
by the petitioner registered for the offence punishable under
Sections 366(A)/34 of the Indian Penal Code.

AS per allegation in the FIR, co-accused Mithilesh
Kumar in connivance with other accused persons including the
petitioner has enticed away the daughter of the informant for the
purpose of marriage.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Statement of the victim girl was recorded u/s 164
Cr.P.C. in which she has stated that co-accused Mithilesh Kumar



in connivance with petitioner and Babu have abducted her after tying her mouth and sat her on a tempo while she had gone to agricultural field. Further stated that co-accused Mithilesh Kumar forcefully committed rape with her. she has not raised any finger against the petitioner for committing rape. Petitioner has got no criminal antecedent and languishing in judicial custody since 16.4.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge POCSO Act-cum-Additional Sessions Judge VII, Gaya in connection with Sherghati (Dobhi) P.S. Case No. 311 of 2020.

(Sunil Kumar Panwar, J)

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