

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50000 of 2022

Arising Out of PS. Case No.-355 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

VIKASH KUMAR S/o Jitlal Yadav @ Jitlal Prasad Yadav R/o village-
Foolwar, P.S.- Banjariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 06-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 376, 313,
504 and 506 of the Indian Penal Code.

As per prosecution, it is a case of commission of rape
and miscarriage. Statement of victim recorded under Section
164 of Cr.P.C. It is submitted that on the pretext of
solemnization of marriage with the victim, the petitioner made
physical relation with her but when she became pregnant
petitioner refused to solemnize marriage with her and made
video film. She became pregnant twice. It is also submitted that
victim is major and mature mind.



Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence and has been falsely implicated in this case. From the perusal of F.I.R., it appears that there is no allegation of committing rape against the petitioner. Only with intention to harass the petitioner, she lodged a false with concocted allegation. Petitioner is languishing in judicial custody since 25.05.2022.

Learned APP appearing for the State has opposed the prayer of regular 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 released on bail in connection with Town P.S. Case No. 355 of 2022, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran.

(Sunil Kumar Panwar, J)

Ranjeet/-

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