

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56284 of 2023

Arising Out of PS. Case No.-496 Year-2023 Thana- GAYA MUFASIL District- Gaya

Kundan Kumar @ Kundan Tanti Son Of Jitu Prasad @ Jitu Tanti Resident Of
Mohalla - Gandhi Nagar, P.S. - Muffasil, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-09-2023 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 341, 323, 354(B), 506/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 8/12 of the POCSO Act.

As per allegation in the FIR, while the victim girl was sitting on her tea stall of her mother, all four named accused came there and with a view to commit rape picked up her in lap to take her near river side. On hearing her cry, local people gathered there. Then accused person opened three round firing to kill the informant and his family members.

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 denied the allegation of rape. Fardbeyan is not supported by the statement of the victim girl. Petitioner is languishing in judicial custody since 3.5.2023.

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 Special Judge POCSO-cum-Additional District and Sessions Judge VI, Gaya in connection with Muffasil P.S. Case No. 496 of 2023.

(Sunil Kumar Panwar, J)

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