

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56592 of 2023

Arising Out of PS. Case No.-607 Year-2021 Thana- BANKA District- Banka

Chandan Kumar @ Chandan Kumar Yadav @ Chandan Yadav S/O Manoj Kumar Yadav Resident Of Village- Haha, P.S- Banka, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Anant Kumar 1

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 366(A)/34 of the Indian Penal Code and Subsequently section 376 IPC and Section 4 POCSO Act was added.

Prosecution case relates to abduction and rape of minor daughter of the informant by the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner is not named in the FIR. Specific allegation of commission of rape is against co-accused Deepak Kumar and not against the petitioner. Statement of the victim girl was recorded u/s 164 Cr.P.C. in which she has stated that co-accused



Deepak Kumar committed rape upon her. She has not raised any finger against the petitioner for any overt act. Petitioner has got no criminal antecedent and languishing in judicial custody since 25.5.2023.

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 Additional Sessions Judge 6th-cum-Spl. Judge, POCSO Banka in connection with Banka P.S. Case No. 607 of 2021.

(Sunil Kumar Panwar, J)

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