

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55190 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- MAHILA P.S BAGHA District- West
Champaran

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PAPPU YADAV S/o Gopi Yadav R/V- Patilar, Bazari Tola, P.S.- Chautarwa,
Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1
For the Opposite Party/s : Mr.Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

8 21-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 376, 313, 504, 506 and 34 of the Indian Penal Code and section 4 of the POCSO Act.

3. As per allegation in the FIR, it is a case of commission of rape by the petitioner and other accused persons upon the informant.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Specific allegation of committing rape on the pretext of marriage is against co-accused Raghwendra Mishra and not against the petitioner. By way of filing supplementary affidavit, it has been



brought on record at para-3 that the persons, namely, Pappu Yadav (petitioner), Dhananjay Yadav and Hiramand Gond have no role in the alleged crime and they are innocent and supportive document is annexed as Annexure-2. Victim was medically examined and doctor opined no sexual assault and her age was found to be 18 years old. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 22.6.2022.

5. The application for bail is opposed by learned APP for the State.

6. 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 7th-cum Special Judge (POCSO) West Champaran, Bettiah in connection with Bagaha Mahila PS Case No. 21 of 2022.

(Sunil Kumar Panwar, J)

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