

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58088 of 2023**

Arising Out of PS. Case No.-23 Year-2022 Thana- MAHILA P.S. District- Rohtas

AJEET KUMAR son of Binod Chaudhary @ Binod Kumar Singh Village-
Paharpur jabra Ps- Nokha Dist- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Adv.

For the Opposite Party/s : Mr.Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with POCSO Case 59 of 2022 Mahila P.S. Case No. 23 of 2022 dated 21.03.2022 registered for the offences punishable u/ss 341, 323, 376DA and 506 read with section 34 of the Indian Penal Code and Section 4/6 of the POCSO Act.

3. As per the prosecution case, the petitioner and the co-accused persons committed rape on the daughter of the informant.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that the victim in her deposition as per Annexure-2 has not stated anything with regard to commission of rape on her. The mother of the victim in her deposition has not supported the prosecution case. Learned counsel further submitted that there is no statutory compliance of the sections 164A and 53A of Cr.P.C. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.04.2022.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Rohtas at Sasaram in connection with POCSO Case 59 of 2022 Mahila P.S. Case No. 23 of 2022.



7. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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