

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60953 of 2023**

Arising Out of PS. Case No.-78 Year-2023 Thana- MUNGER MUFFASIL District- Munger

Deepak Kumar S/O Vilash Singh Resident Of Village- Bhelwa, P.S.- Muffasil,
District- Munger

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Puja Kumari

For the Opposite Party/s : Mr.Parmanand Prasad

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 22-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 376/34 of the Indian Penal Code read with Section 4/8 of POCSO Act.

It is case of commission of rape with the victim/informant by the petitioner along with other accused person.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case due to dirty village politics. As per F.I.R., the allegation of rape against the petitioner as well as Chandan Kumar but the victim/informant



gave a contradictory statement recorded u/s 164 of Cr.P.C. in which she has made allegation of rape against only one Chandan Kumar not against the petitioner. It is also submitted that as per medical report, no any sign of rape was found. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is also submitted that petitioner is languishing in judicial custody since 10.05.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Muffasil P.S. Case No. 78 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (POCSO Act)-cum-Additional Sessions Judge-VI, Munger.

(Sunil Kumar Panwar, J)

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