

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63262 of 2023**

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

DILIP SINGH Son of Mato @ Matara Singh R/o vill - Bhelwa, P.S. -
Muffassil, Distt. - Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Ram Sumiran Rai

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

2 09-10-2023 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 376/34 of the Indian Penal Code and 4/8 of the POCSO
Act.

As per allegation in the FIR, accused Chandan Kumar
and Deepak Kumar dragged the informant, aged about 16 years,
to a nearby maize field and committed rape upon her. Allegation
against the petitioner and two others is of catching hold the
victim girl.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Petitioner is handicapped person. Specific allegation of



committing rape is against Chandan Kumar and Deepak Kumar and not against the petitioner. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 3.8.2023 passed in Cr. Misc. No. 47129 of 2023. Petitioner is languishing in judicial custody since 10.5.2023.

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 Act-cum-Additional Sessions Judge 6th, Munger in connection with Muffasil P.S. Case No. 78 of 2023.

(Sunil Kumar Panwar, J)

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