

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65107 of 2022**

Arising Out of PS. Case No.-63 Year-2022 Thana- MAHILA PS District- Gaya

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RAHUL KUMAR @ JITTU KUMAR @ RAHUL KUMAR JITU SON OF
LATE PRABHU PRASAD R/O VILL.- URDU MOHALLA, P.S.-
SHERGHATI, DISTT.- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 23-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 341, 354(B), 354(D),
376, 376(3) of the Indian Penal Code read with Section 6 of the
POCSO Act and Section 3(i)(r)(s)(w)(i) of the SC/ST Act.

The allegation against the petitioner is of forcibly
taken away the daughter of the informant, when she was going
to her coaching class. It is further alleged that the petitioner



committed rape upon her and threatened her family to viral all the videos and photos of her daughter, if they do not marry him with her daughter.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR and the same has been lodged against unknown persons. The victim girl has recovered and her statement recorded u/s 164 of the Cr.P.C., in which she does not disclose the name of this petitioner and she does not stated that this petitioner has committed wrong with her. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 16.08.2022.

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

Having heard learned counsel for the parties and considering 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 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 District and Sessions



Judge 6th-cum-Special Judge (POCSO), Gaya in connection
with Gaya Mahila P.S. Case No. 63 of 2022.

(Sunil Kumar Panwar, J)

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