

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65259 of 2022

Arising Out of PS. Case No.-229 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

Krish Kumar Son Of Ram Pravesh Sada R/O Vill.- Jhoparpatti, P.S.- Town,
Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate.

For the Opposite Party/s : Mr. Arvind Kumar Pandey. APP.

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

ORAL ORDER

4 03-05-2023 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has preferred this application for grant of regular bail in connection with Town P. S. Case No. 229 of 2022 dated 21.04.2022 registered for the offences punishable under Section 376D of the Indian Penal Code.

As per the prosecution case, the informant has alleged that the petitioner and the co-accused person committed rape on her one after another while she was sleeping out of her house.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No such occurrence as alleged has ever taken place. As per report of the medical board, there is no sign of injuries (abrasion and burise) on any part of the body including front and back. There is no injury on private part of the victim. He has also submitted that the doctor has opined that there is no evidence of recent sexual assault on the body of the victim but she was pregnant (According to USG) according to urine for pregnancy test as mentioned in Annexure-2 filed on behalf of the petitioner. Learned counsel has further submitted that the co-accused person has already been granted bail by this Court vide order dated 23.03.2023 passed in Cr. Misc. No. 65708 of 2022. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.04.2022.

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

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, Begusarai in connection with Town P. S. Case No.
229 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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