

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68078 of 2022

Arising Out of PS. Case No.-129 Year-2022 Thana- PUNAURA District- Sitamarhi

RAJ KISHORE PASWAN SON OF VINOD PASWAN R/O VILL.- GOVIND
FANDAH, P.S.- PUNAURA, DISTT.- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Ravindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Punaura
P.S. Case No. 129 of 2022 registered for the offences punishable
under Sections 376, 420, 120B and 34 of the Indian Penal Code
and under Sections 6 and 12 of the POCSO Act.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody
since 10.06.2022 and came to be implicated in the present case
as he is own brother of Ravi Shankar Kumar @ Bhola who is
the main accused.

It is next submitted that the informant alleges that
Ravi Shankar Kumar @ Bhola is a co-villager of the informant
(victim) enticed her and on 01.04.2021 called her at Sitamarhi



on pretext of getting her admitted in a coaching but when she reached Sitamarhi, she was taken to a room in Bihar Guest House where he forcibly committed rape and made a video, further he used to threaten the victim of making the video viral and based on that he repeatedly committed rape. It is next alleged that on 01.03.2022, all the four accused persons including the petitioner in conspiracy with each other kidnapped her and brought her in Bihar Guest House and pressurized her to solemnize marriage with Ravi Shankar Kumar @ Bhola and on her refusal, she was threatened that the video would be made viral and thereafter Ravi Shankar Kumar @ Bhola again committed rape upon her on point of knife and the video was sent on the mobile of her cousin brother Chunnu Kumar.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that victim and Ravi Shankar were in love but on account of family pressure, they could not marry and false case came to be instituted. It is further submitted that even presuming what has been alleged is true without admitting then the entire allegation is against Ravi Shankar and petitioner being his brother has been falsely implicated in the present case, as it does not stand to reason that one brother would have committed rape



in presence of his another brother

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail 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 court below where the case is pending/successor court in connection with Punaura P.S. Case No. 129 of 2022.

Accordingly, the present bail application stands allowed.

(Satyavrat Verma, J)

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