

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72784 of 2022

Arising Out of PS. Case No.-48 Year-2022 Thana- UPHARA District- Aurangabad

Rakesh Kumar Son Of Ashok Singh R/O- Neya Siswan, P.S- Nawada, Dist-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Bharat Bhushan, App, 156

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-04-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 376 of the Indian Penal Code and Section 4 of the POCSO Act, 2012.

It is a case of commission of rape with the victim on the pretext of marriage. It is further alleged that petitioner had made video of the occurrence and threatened the victim that if she tells anyone about alleged commission of rape then he will kill his whole family members.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Not a single witness



supported the prosecution version. As per medical report victim is major and sign of rape was not found on her body. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 12.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Uphara P.S. Case No. 48 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-cum-Special Exclusive Judge POCSO, Aurangabad.

(Sunil Kumar Panwar, J)

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