

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66002 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- MAHILA P.S District- West Champaran

Nandlal Chaudhary @ Nandlal Kumar Son Of Lalbabu @ Lalbahadur Chaudhary@ Lalbahadur Sahani, Resident Of Village- Tula Ram Ghat, Narkatia, P.S.- Gopalpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-03-2023 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Bettiah Mahila P.S. Case No. 14 of 2022 registered under sections 376, 354B and 34 of the Indian Penal Code and Sections 4/6 of the POCSO Act.

Prosecution case relates to commission of rape and outrage the modesty of both the victims by the co-accused person along with this petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that there was love affairs between the informants and the accused persons, and out of their free will, both the victims came from



Chapra to Bettiah by train. It is also submitted that the specific allegation of rape upon both the victims is against co-accused, namely, Raj Kumar@ Raj Kapoor who established physical relation with them not against this petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 29.06.2022.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bettiah Mahila P.S. Case No. 14 of 2022 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 Additional Sessions Judge-VI cum Special Judge-POCSO, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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