

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3221 of 2023

Arising Out of PS. Case No.-16 Year-2022 Thana- MAHILA P.S. District- Sheikhpura

Dilip Kumar Son of Matha @ Arvind Yadav Resident of village - Bangalipar,
P.S.- Sheikhpura, Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 06-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 376(D),
341, 323, 504, 506, 387, 379/34 of the Indian Penal Code.

As per prosecution case, it is case of committing
rape by the co-accused along with this petitioner upon the
informant (victim girl) who is student of Bihar Sharif
college. When she was going to bring her admit-card, they
snatched her mobile phone and golden locket of chain. Near
Government School of Banglipur, they pressed her mouth
and carried her in the premises of school and committed
rape one by another repeatedly and also made videography
of offence. They also threatened to get the video viral.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to local enmity and village politics. The F.I.R. has been lodged after the inordinate delay of more than 4 months from the date of occurrence. As per statement of the victim girl recorded u/s 164 of Cr.P.C. which is annexed with the case diary, wherein she did not disclose the name of the petitioner or any one in respect of the offence committed with her. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. It is further submitted that the petitioner is languishing in judicial custody since 13.05.2022.

Learned APP appearing for the state and learned counsel for the informant have 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 period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sheikhpura (Mahila) P.S. Case No. 16 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 S.D.J.M.,
Sheikhpura.

(Sunil Kumar Panwar, J)

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