

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73193 of 2023

Arising Out of PS. Case No.-157 Year-2023 Thana- SUGAULI District- East Champaran

ADITYA KUMAR SON OF LATE DHRUV PASWAN RESIDENT OF
VILLAGE - BARKUWA, P.S. - MUFFASIL (MOTIHARI), DISTRICT -
EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr. S.K. Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 341, 342, 376, 511, 379/34 of the Indian Penal Code and sections 8 of the PCOSO Act.

3. As per allegation in the FIR, petitioner and two other accused persons, abducted the grand-daughter of the informant with an intention to gangrape and took her away to Satkar Hotel. On arrival of informant and local persons, accused persons managed to escape except the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated int his case. Victim



girl is major and she was medically examined but no sign of rape was found by the doctor. Her statement was recorded u/s 164 Cr.P.C. in which she has not whispered about any overt act committed by the petitioner. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 21.8.2023 passed in Cr. Misc. No. 45013 of 2023. Petitioner is languishing in judicial custody since 1.5.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 6th Additional Sessions Judge-cum-Special Judge, POCSO, Motihari, East Champaran in connection with Sugauli P.S. Case No. 157 of 2023.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

