

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4570 of 2024

Arising Out of PS. Case No.-311 Year-2020 Thana- SHERGHATI District- Gaya

Babu Kumar @ Niraj Kumar Son of Kesho Mandal @ Kesho Bhuiyan R/o
vill - Bangalidih, P.S. - Dobhi, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The instant application for regular bail has been

filed by the petitioner registered for the offence

punishable under Sections 366(A)/34 of the Indian Penal

Code.

As per allegation in the FIR, co-accused

Mithilesh Kumar in connivance with other accused

persons including the petitioner has enticed away the

daughter of the informant for the purpose of marriage.

Learned counsel appearing on behalf of the

petitioner has submitted that petitioner is innocent and



has committed no offence. Statement of the victim girl was recorded u/s 164 Cr.P.C. in which she has stated that co-accused Mithilesh Kumar in connivance with petitioner and Babu have abducted her after tying her mouth and sat her on a tempo while she had gone to agricultural field. Further stated that co-accused Mithilesh Kumar forcefully committed rape with her. she has not raised any finger against the petitioner for committing rape. Petitioner has got no criminal antecedent and languishing in judicial custody since 03.11.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

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 Exclusive Special Judge POCSO Act-cum-Additional Sessions Judge VII, Gaya in connection with Sherghati (Dobhi) P.S. Case No. 311 of 2020.

(Sunil Kumar Panwar, J)

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