

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29023 of 2024

Arising Out of PS. Case No.-194 Year-2023 Thana- KEWATI District- Darbhanga

Praveen Kumar Sah SON OF BHARAT SAH RESIDENT OF VILLAGE
-MAJHIGAMA POLICE STATION- KEOTI DISTRICT -DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 12-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with a case registered for the offence punishable u/s 366(A)/504/506/34 of the IPC but charge sheet was submitted u/s 363/366(A)/376 of the IPC and section 4/8 of POCSO Act.

3. As per the prosecution case, allegation against the petitioner and other co-accused persons is that they kidnapped the minor daughter of the informant and committed gang rape upon her.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No such occurrence in the manner as alleged, has ever taken place. He has been falsely implicated in



this case due to ulterior motive. There is no specific allegation against the petitioner. Though the victim is named in the F.I.R. but the victim in her statement recorded u/s 164 Cr.P.C. has not disclosed the name of petitioner. It is submitted that due to prior enmity, petitioner has been made accused in this case by the father of the victim. The petitioner has no criminal antecedent and has been languishing in custody since 16.07.2022.

5. Learned APP for the State opposed the prayer for bail.

6. Considering the facts and circumstances of this case, considering that the victim has not taken the name of the petitioner and considering the period of custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/Successor Court in connection with POCSO Case No.116 of 2023 arising out of Keoti P.S. Case No.194/2023.

(Anjani Kumar Sharan, J)

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