

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31342 of 2024

Arising Out of PS. Case No.-353 Year-2019 Thana- BOCHAHAN District- Muzaffarpur

Ajay Kumar Son Of Bashisht Thakur Resident Of Village- Rosi (ROSHI), Ps-
Bochahan, Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi Wife Of Mohan Sah Resident Of Village- Dahiwan Mohanpur,
Po- Adigopalpur, Ps- Bochhan, Dist- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is accused in connection with Bochahan P.S.
Case No. 353 of 2019 registered under Sections 376(G), 302, 34
of the Indian Penal Code and Sections 4 and 6 of POCSO Act.

3. As per the prosecution case, daughter of informant was
on talking terms with co-accused Badal Kumar on her mobile
phone. On 18.10.2019, in the night, her daughter was called by
co-accused Badal Kumar, who along with others, committed
rape and murder. Accordingly, F.I.R. was instituted.

4. Submission of learned counsel for the petitioner is that
the name of this petitioner has come during the course of



investigation on the confessional statement of co-accused Badal Kumar. From perusal of the F.I.R., it is apparent that thrust of accusation is against co-accused Badal Kumar, who has already been acquitted by trial court. It is further submitted that co-accused Monu Kumar @ Thakur @ Monu Thakur whose name has also come during the course of investigation has already been granted bail by a co-ordinate Bench of this Court *vide* order dated 30.01.2023 passed in Cr. Rev. No. 249 of 2022 (Annexure-P-3). Petitioner is in custody since 08.02.2024.

5. Learned A.P.P. appearing on behalf of the State vehemently opposed the prayer for bail.

6. Having considered the above facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI-cum-Special Judge, POCSO-I, Muzaffarpur in connection with Bochahan P.S. Case No. 353 of 2019.

(Prabhat Kumar Singh, J)

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