

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42030 of 2024

Arising Out of PS. Case No.-31 Year-2023 Thana- MAHILA P.S. District- Madhepura

1. Shravan Kumar S/o Arvind Yadav Resident of village-Pakilpar Ward No.2,P.O.- Sahuria P.S.- Murliganj, District-Madhepura
2. Raja Yadav @ Raja Kumar S/o Late Kaushlendra Yadav Resident of village-Pakilpar Ward No.2,P.O.- Sahuria P.S.- Murliganj, District-Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Saroja Devi W/o Anoj Kumar R/o Village-Pakilpar, Ward No.-5, P.O.- Sahuria, P.S.-Murliganj, District-Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Garg, Advocate
For the Opposite Party/s : Mr.Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-06-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Mahila P.S. Case No. 31/2023 dated 13.10.2023 registered for the offences punishable under Sections 341, 376D and 506 of the Indian Penal Code, Sections 4 and 6 of the POCSO Act and Sections 3(i)(r)(s)(w), 3(2)(va) of the SC/ST Act.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have committed rape on the daughter of the informant by administering intoxicated



substance in the water.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. As per Annexure P-2, the victim in her statement recorded u/s 164 of the Cr.P.C. has not stated the name of the petitioners in the crime alleged rather she has stated that the co-accused Pusph Raj has committed rape on her. Learned counsel has submitted that final form has been submitted against the petitioner, thereafter, learned court below took cognizance against the petitioners and other co-accused persons. The petitioners are accused in one more criminal case as stated in para 3 of the bail petition. The petitioners are in custody since 14.10.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhepura, in connection with Mahila P.S. Case No. 31/2023.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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