

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42901 of 2024

Arising Out of PS. Case No.-17 Year-2024 Thana- RUPO District- Nawada

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Kundan Kumar son of Birju @ Birzu Yadav Resident Of Village- Jaila Ps-
Rupau District- Nawada Petitioner/s

Versus

1. The State of Bihar Bihar
 2. Rajesh Yadav son of Late Mundi Yadav Village- Jaila Ps- Rupau Dist-
Nawada Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv
For the Opposite Party/s : Mr. Rabindra Kumar, APP
For the Informant : Mr. Amar Prabhas, Adv

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-07-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Rupau P.S. Case No. 17
of 2024 dated 26.03.2024 registered for the offences punishable
u/s 376(D) of the I.P.C. and 4,6 of the POCSO Act.

3. As per the prosecution case, the petitioner Kundan
Kumar (*son of Birju Yadav*) and the co-accused Kundan Kumar
(*son of Ranjendra Yadav*) are alleged to have committed sexual
assault with the minor daughter of the informant one after
another.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in



this case. As per the statement of victim girl recorded under Section 164 of the Cr.P.C. the petitioner Kundan Kumar (*son of Birju Yadav*) has not committed sexual assault with the minor daughter of the informant. The allegation against the petitioner is of molesting the victim. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 27.03.2024.

5. Learned A.P.P. for the State and learned counsel for the informant has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada, in connection with Rupau P.S. Case No. 17 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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