

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47350 of 2024**

Arising Out of PS. Case No.-53 Year-2024 Thana- PAKRIDAYAL District- East Champaran

Nehal Kumar Singh @ Nehal Singh SON OF Deepak Singh VILLAGE-
AZGARWA (AJGARWA) PS- PAKARIDAYAL, DIST- EAST
CHAMPARAN

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. SANJU DEVI WIFE OF SURENDRA BAITHA VILLAGE- AZGARWA
(AJGARWA) PS- PAKARIDAYAL, DIST- EAST CHAMPARAN

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.
For the Opposite Party/s : Mrs.Usha Kumari 1, APP

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

ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Pakaridayal P.S. Case No. 53 of 2024 dated 06.03.2024 registered for the offences punishable u/ss 363, 376D of the Indian Penal Code and u/s 3(2)(V) of the SC/ST Act and u/s 4 and 6 of the POCSO Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant and committed rape on her one after another.

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



case. The victim in her statement recorded under Section 164 of Cr.P.C. has not stated about the commission of rape on her. The medical report of the victim also shows that there is no sign of rape on the body of the victim. No member of public was present at the relevant point of time of the alleged occurrence. Hence, offence is not committed in public view. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.03.2024.

5. Learned A.P.P. for the State 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, East Champaran at Motihari in connection with Pakaridayal P.S. Case No. 53 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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