

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52931 of 2024

Arising Out of PS. Case No.-198 Year-2021 Thana- DARIYAPUR District- Saran

Vidhan Rai @ Vidhan Kumar Rai S/O Hari Rai R/O Village- Kewatiya, P.S-
Dariyapur, Distt.- Saran (Chapra).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. VIJAY KUMAR SAH S/O HARI CHARAN SAH R/O VILLAGE-
KEWATIYA, P.S- DARIYAPUR, DISTT.- SARAN (CHAPRA).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 376(D) of the Indian Penal Code and section 6 of the POCSO Act.

3. As per prosecution case, the informant alleged that when his daughter/victim went to attend nature's call, the petitioner along with co-accused Gautam caught her and committed rape with her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The facts in the FIR is not



true version of the victim rather the same was manipulated by someone. It is further submitted that during trial, the informant as well as the victim have been examined as P.W.2 and P.W.-1 whose depositions have been annexed as Annexure-2 & 3 with the petition by which it appears that both were declared hostile and not supported the prosecution case. The petitioner has got no criminal antecedent and is languishing in judicial custody since 10.2.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Dariyapur P.S. Case No. 198 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-Cum-Exclusive Special Judge, POCSO Act, Chapra, Saran.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

