

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66264 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- JAMHOR District- Aurangabad

Vinay Kumar @ Vinay Soni @ Vinay Kr. Soni @ Vinay Kumar Son of
Ramsawrup Prasad @ Ramji Prasad Soni Resident of Village - Jamhor, Police
Station - Jamhor, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankur Prakash Sinha

For the Opposite Party/s : Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 376 and 34 of the Indian
Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody
since 09.06.2024 and the informant alleges that his sister aged
about 22 years had come to attend a marriage ceremony of her
relative when the petitioner raped her.

4. Learned counsel for the petitioner submits that
from perusal of the allegation as alleged in the F.I.R., it would
manifest that the same is cryptic and vague. It is also submitted



that the victim herself has not instituted the case. It is next submitted that for reasons best known, the informant deliberately chose not to disclose the fact that the victim had come to attend the marriage of the petitioner. It is also submitted that it does not appear probable that the person who is getting married, will commit such an occurrence when entire family members are present in the house. It is also submitted that the FIR was instituted after the victim went back to Chhattisgarh where her medical was conducted, but then the medical report does not suggest that any injury was found, it is further submitted that petitioner and the victim are own cousin and the victim had fallen in love with the petitioner, but then the love was one sided and since petitioner was getting married in which the victim along with her aunt had come to attend the marriage and thereafter the instant FIR came to be instituted. It is also submitted, at the cost of repetition, that it does not appear probable that petitioner would have committed such an occurrence when he was getting married and his entire family members were in the house. It is also submitted that charges have been framed, but then not a single witness, till date, has been examined. It is next submitted that petitioner will not abscond rather will co-operate in the trial to prove his



innocence.

5. Learned A.P.P. for the State opposes the prayer for regular bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Jamhor P.S. Case No. 15 of 2024.

7. However, it is made clear that if the learned Trial Court comes to a conclusion that petitioner after his release is trying to delay the trial in any manner in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner forthwith after recording reasons.

8. Accordingly, the instant regular bail application is allowed.

(Satyavrat Verma, J)

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