

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64806 of 2023**

Arising Out of PS. Case No.-326 Year-2022 Thana- SAUR BAZAR District- Saharsa

Abhimanyu Kumar S/O Arun Yadav Resident Of Village Pama, Ward No. 4,  
Ps- Saur Bazar, Dist- Saharsa

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Mrs. X

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rashmi Jha, Adv  
For the Opposite Party/s : Mr. Sadanand Paswan, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

5      05-03-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. Service report is already on record but no one  
appears on behalf of informant.

3. The petitioner seeks bail in connection with Saur  
Bazar P.S.Case No. 326 of 2022 instituted for the offences  
punishable under Sections 376(3) of the Indian Penal Code and  
Section (i) (w)(i),3(2)(va) 3(2)(v) of SC/ST Act.

4. The prosecution case in short is that the minor  
daughter of the informant gone to collect firewood, in the  
meantime, co-accused Sonu Kumar along with other co-accused  
persons came there and raped her minor daughter.



5 Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR and his name has transpired at the investigation. Except suspicion, there is no other material against the petitioner and specific allegation is against co-accused Sonu Kumar. The petitioner is in custody since 07.09.2022 and he has clean antecedent. The statement of victim was recorded under section 161 of the CR.P.C as well as 164 of the Cr.P.C but no whisper as against the petitioner.

6. Learned APP opposes the prayer for bail.

7. Considering the facts and circumstances of the case as well as submissions of the parties and also the specific allegation is against co-accused Sonu Kumar, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI- cum special Judge( POCSO), Saharsa in connection with Saur Bazar P.S.Case No. 326 of 2022

**(Ramesh Chand Malviya, J)**

N.K/-

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