

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4657 of 2024
In
CRIMINAL MISCELLANEOUS No.61334 of 2024

Arising Out of PS. Case No.-162 Year-2024 Thana- NAVINAGAR District-
Aurangabad

=====

Shruti Kumari Daughter of Sri Deepak Kumar Singh @ Deepak Singh
Resident of Village- Koshdihra, P.S. - Nabinagar, District - Aurangabad.
Represented through her father namely Deepak Kumar Singh @ Deepak
Singh

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Urmila Devi Wife of Abhay Kumar Singh P.S. - Nabinagar, District -
Aurangabad

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Rajeev Kumar Singh, Adv.

For the Respondent/s: Mr.Navin Kumar Pandey,APP

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

4 11-11-2024 Heard learned counsel for the appellant and

learned A.P.P. for the Sate.

2. The appellant, who is a juvenile, has preferred

this appeal being aggrieved with the order dated 03.08.2024

passed by the Special Judge (SC/ST)-cum- 1st Additional

District & Sessions Judge, Aurangabad in B.P. No. 706 of 2024

arising out of Nabinagar P.S. Case No. 162 of 2024, whereby

and whereunder, the learned Special Judge rejected the

prayer for bail of the appellant.

3. According to the prosecution, on 11.06.2024 at

about 06:45 AM, victim girl (deceased) went out from her

house by saying that she is going to Premier Coaching, but



she did not return. On the basis of suspicion, F.I.R. has been instituted against three accused persons including the appellant herein. Initially, offences under Sections 363, 366A and 34 of the Indian Penal Code and Sections 8 and 12 of the POCSO Act has been registered. During course of investigation, the dead body of the victim was found and subsequently offences under Sections 363, 366A, 376D, 302, 201, 120B and 34 of the Indian Penal Code and Sections 4 and 6 of the POCSO Act are also added. During the investigation, the present appellant is arrested on 17.06.2024.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case on the basis of suspicion made by the informant. According to him, there is no direct evidence available on record to connect the appellant with the alleged crime. He further submits that the main allegation of kidnapping and rape is against the co-accused, Rohit and allegation of murder of deceased girl is against the co-accused, Dharmendra and the co-accused, Rakesh, who has already been granted the benefit of regular bail by a co-ordinate Bench of this Court vide order dated 07.10.2024 passed in



Cr. Misc. No. 57911 of 2024 and another accused, namely, Anita Devi against whom similar allegations have been levelled as made against the appellant, has also been granted bail vide order dated 05.10.2024 passed in Cr. Misc. No. 59953 of 2024. Since the appellant is a minor girl and there is no direct allegation against her and the co-accused, Anita Devi, who is on the same footing, has already been granted benefit of bail, therefore, the appellant also prays for bail.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named appellant be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, (SC/ST) cum 1st Additional District & Sessions Judge, Aurangabad in connection with Nabinagar P.S. Case No. 162 of 2024.

7. Accordingly, this appeal is allowed and the impugned order is set aside.

(Arvind Singh Chandel , J)

brajesh/-

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



