

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77226 of 2023

Arising Out of PS. Case No.-474 Year-2023 Thana- KAHALGAON District- Bhagalpur

Pankaj Kumar @ Pankaj Kumar Singh Son Of Satya Narayan Singh R/O Village And P.S.- Amdanda, District- Bhagalpur. Present Residing In Mohalla- Paithanpura, Ward No. 4, P.S.- Kahalgaon, Dist.- Bhagalpur

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv along with Mr. Manoj Kumar Jha and Mr. Kumar Rajdeep, Advocates
For the Opposite Party/s	:	Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 376, 120B of the Indian Penal Code and Section 4 of the POCSO Act.

3. The allegation against the petitioner along with others is of committing rape upon the daughter of the informant and with her friend.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is permanent resident of Village and P.S.- Amdanda and after constructing house and



lodge in Mohalla- Paithanpura under Kahalgaon P.S., he started residing in Kahalgaon to look after his lodge. The statements of the victims recorded under Section 164 of the Cr.P.C., in which they stated that the other co-accused persons namely, Bittu Kumar and Rishi Kumar committed rape upon them in a rented room. He further submitted that the co-accused Bittu Kumar and Rishi Kumar were living in the lodge of the petitioner on rent for study. He submitted that the petitioner being a owner of the said room, he has been falsely implicated in the present case and the only allegation against him is that he locked the victims in the said room. There is no specific overt act of commission of rape against the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 22.04.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned Court concerned in connection with
Kahalgaon P.S. Case No. 474 of 2023.

(Sunil Kumar Panwar, J)

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