

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79871 of 2023

Arising Out of PS. Case No.-32 Year-2022 Thana- CHARPOKHARI District- Bhojpur

Munna Yadav Son Of Chandeshwar Yadav Resident Of Village - Bardiha, P.S.
- Charpokhari, District - Bhojpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 323, 325, 379, 376, 385/34 of the Indian Penal Code. Charge-sheet has been submitted under Section 341, 354, 365, 385/34 of the Indian Penal Code and Section 12 of POCSO Act.

Prosecution case in nutshell is that petitioner along with other co-accused persons caught the informant and dragged her inside the vehicle and started assaulting. They locked her in the house of co-accused Kanhiya Singh and



started demanding ransom from one Shadhu Yadav. It is further alleged that co-accused Neeraj Yadav and Lalu Yadav ravished her and on protest, they assaulted her by means of Lathi due to which bone of her waist got fractured.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is further submitted that informant is a dancer in dance party and the dance party was managed by Sadhu Yadav. There was dispute between him and co-accused Kanhiya Singh. There is inordinate delay of 5 days in lodging the F.I.R. There is no specific allegation against the petitioner of commission of rape against the petitioner rather the specific allegation of having sexual relation with the informant/victim is against co-accused Neeraj Yadav and Lallu Yadav. After completing investigation, charge-sheet has not been submitted under Section 376. Moreover, the petitioner is languishing in judicial custody since 08.08.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.



Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Charpokhari P.S. Case No. 32 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI-cum-Special Judge (POCSO), Bhojpur, Ara

(Sunil Kumar Panwar, J)

Nirajkrs/-

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

