

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75884 of 2023

Arising Out of PS. Case No.-516 Year-2022 Thana- RAJAON District- Banka

Rahul Yadav @ Rahul Kumar Son Of Anil Yadav Resident Of Village - Tardih
(Gonudham), Police Station - Jagdishpur, District - Bhagalpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 323, 467, 468, 420, 376 of the Indian Penal Code and Section 4 of POCSO Act.

3. As per prosecution case, the informant who is victim of this case, has alleged that on 4.11.2023 when she alone at her house, the petitioner entered and committed rape. It is also alleged that the petitioner made video of the occurrence and threatened the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is submitted vide para 8 & 9 of the petition that first time as alleged occurrence took



place on 4.11.2021 but the complaint has been filed on 30.9.2022 and no complaint was filed by the victim against the petitioner during that course. After lodged the FIR, the victim has been medically examined on 7.12.2022 and doctor found her age is above 18 years. The present case was lodged by the informant with an intention to marry with the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 22.7.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rajoun P.S. Case No. 516 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-6-Cum-Special Judge (POCSO), Banka.

(Sunil Kumar Panwar, J)

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