

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75875 of 2023

Arising Out of PS. Case No.-543 Year-2023 Thana- BARACHATTI District- Gaya

Sunny Kumar S/O Surendra Ravidas R/O Village- Simra, Tola- Ghaur Daur,
P.S.- Barachatti (Mohanpur) , District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Onkar Nath
For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 341, 323/34 of the
Indian Penal Code and Sections 8 and 12 of the POCSO Act.

3. The allegation against the petitioner along with
others is of assaulting and outraging the modesty to the
informant.

4. It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case due to dirty village politics. He has committed no offence. He submitted that both the petitioner and the informant are door-to-door neighbour and a dispute for passage of drainage had taken place early in the morning and so this false case has been instituted. According to prosecution case, the victim has not stated that this petitioner established physical relationship with her but her statement has been recorded u/s 164 of the Cr.P.C. in which she stated that this petitioner committed rape upon her at the instance of solemnization of marriage. There is a major contradiction between both the statements of the victim. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 02.08.2023.

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 Exclusive Special Judge(POCSO)-
cum-Additional Sessions Judge-VII, Gaya in connection with
Barachatti P.S. Case No. 543 of 2023.

(Sunil Kumar Panwar, J)

Arish/-

U			
---	--	--	--

