

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78553 of 2023

Arising Out of PS. Case No.-116 Year-2023 Thana- CHANDI District- Nalanda

Rakesh Kumar Son Of Brijan Jamadar @ Vigan Jamadar Resident Of Village-
Pranchak, Ps- Chandi, Distt- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinki Devi Wife Of Arun Kumar Resident Of Village- Pranchak, Ps- Chandi,
Distt- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 08-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with POCSO Case No. 45/2023, arising out of Chandi P.S. Case No. 116/2023 registered for the offences punishable under section 376 of the Indian Penal Code and sections 4, 8 and 12 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have committed rape on the victim several times and threatened that if she told this to anyone he would kill her and family members.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. As per medical report, the age of the victim is assessed to be 15 to 16 years. There is no evidence of suggestive and sexual violence. No physical or internal injury was seen on body. The occurrence took place between 16.02.2023 to 28.02.2023 and the F.I.R. was lodged on 03.04.2023 and there is no explanation for the same. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 04.04.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bihar Sharif at Nalanda in connection with POCSO Case No. 45/2023, arising out of Chandi P.S. Case No. 116/2023, with further condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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