

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85231 of 2023

Arising Out of PS. Case No.-332 Year-2023 Thana- SURYAGARHA District- Lakhisarai

Sonu Kumar S/o Sri Bijay Singh R/o Village-Pawai, P.S-Surajgarha, District-
Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-02-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 448, 341, 323, 376 of the Indian Penal Code and Section 27 of Arms Act and section 37(i) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, allegation against the petitioner is of committed rape with the informant under the influence of liquor. It is also alleged that when the husband of the informant tried to save her, the petitioner assaulted him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has been made an accused in this case due to some petty dispute between the parties. The victim/informant has not stated in



respect of commission of rape in her statement recorded u/s 164 of the Cr.P.C. During investigation, when the victim was asked for medical examination but she declined to do so. It is further submitted that the victim is a wedded lady, who lodged the case with intention to implicate the petitioner in a false case. Moreover, the petitioner is languishing in judicial custody since 16.9.2023.

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 Surajgarha P.S. Case No. 332 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 1st-Cum-Special Judge, SC/ST, Lakhisarai.

(Sunil Kumar Panwar, J)

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