

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10414 of 2024

Arising Out of PS. Case No.-83 Year-2023 Thana- ANGARGHAT District- Samastipur

Sahil Kumar @ Saurya Kashyap Son of Sri Chandan Kumar @ Chandan Singh Resident of Village- Muriyaro, ward No.-13, P.O.- Dadhiya Asadhar, P.S.- Angarghat, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi W/o- Ghanshyam Mahto Vill-Muriyaro Ward-14 PS-Angarghat Dist- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Niraj Lochan Jha, Adv.
For the Opposite Party/s	:	Mr. Nand Kishore Prasad, Adv.
For the State	:	Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 15-07-2024 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 Angarghat P.S. Case No. 83 of 2023 dated 19.08.2023 registered for the offences punishable u/ss 376D, 307, 458 and 380 of the Indian Penal Code.

3. As per the prosecution case, the accused persons entered the house of the informant and took her to nearby field, tore her clothes and committed rape on her one by one. It is alleged that the accused persons saw the informant's daughter-

in-law watching them from the window. They tried to break the door of the room of the daughter-in-law of the informant but could not succeed. The accused persons also assaulted the informant by means of knife and stick, due to which she sustained injury.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is named in the FIR. There is general and omnibus allegation against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. The victim in her statement recorded under Section 164 of the Cr.P.C. has not taken the name of the petitioner. As per the medical report, there was no any sign of sexual assault on the victim, also no injury was found on her body. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.08.2023 .

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 and the materials available on the record, 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, Samastipur in connection with Angarghat P.S. Case No. 83 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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