

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5138 of 2024

Arising Out of PS. Case No.-183 Year-2023 Thana- AIRPORT District- Patna

Vinit Kumar, Son Of Prabhu Narayan Gupta, Resident Of Mohalla-
Korathbari, Madhubani, P.S.- K. Hat. District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 03-07-2024 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 Hawaii Adda P.S. Case No. 183 of 2023 dated 23.09.2023 registered for the offences punishable under Section 376 of the Indian Penal Code.

3. As per the prosecution case, the informant alleged that on 23.09.2023 the petitioner called her to the Kori Hotel in front of Pillar No. 39 in Raja Bazar, where he committed rape with her forcefully and threatened to kill her and get the photo viral.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has committed no offence. He



has falsely been implicated in this case. The victim/informant is a matured lady. From perusal of case diary, it appears that the victim gave contradictory statement u/s 161 and 164 of the Cr.P.C. which creates doubt on authenticity of the prosecution. The medical report does not support the allegation made against petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is languishing in judicial custody since 24.09.2023.

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, Patna in connection with Hawaii Adda P.S. Case No. 183 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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