

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14480 of 2024

Arising Out of PS. Case No.-567 Year-2018 Thana- SONEPUR District- Saran

Umesh Kumar S/O SURESH SINGH VILLAGE- SABBALPUR 28,
BANGALEE TOLA, PS. SONEPUR, DIST. SARAN AT CHAPRA.

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. Pankaj Kumar Singh S/o Vishnudeo Singh R/o vill - Sabalpur Atthais, P.S. -
Sonepur, Distt - Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

8 16-05-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection
with Sonepur P.S. Case No. 567 of 2018 registered for the
offences under Section 366 of the Indian Penal Code.

3. The prosecution story in short is that the wife of the
informant was on her way to the house of her parents along
with her two kids on a tempo however she did not reach the
house of his in-laws. It is further alleged that the informant
could not trace them and he has fear that she has been abducted
by the petitioner as she was also carrying jewelry and money.

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



case. The informant and the petitioner are co-villager. The incident is of 31.05.2018 whereas the case has been lodged on 12.06.2018 without any valid explanation. It is further submitted that though the charge sheet has been submitted under Sections 366 and 376 of IPC but the medical report has not supported the rape of the victim. Though the victim has supported the allegation in her statement recorded under Section 161 Cr.P.C but in compromise petition dated 01.12.2023 she has sated that she went with her Dewar by train from Danapur. It is next submitted that not a single witness has supported the allegation. It is lastly submitted that the petitioner has no criminal antecedent and he is languishing in custody since 26.07.2023.

5. Learned counsel for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the fact that the medical report has not supported the rape of the victim and that the petitioner is in custody since 26.07.2023, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-I, Saran at Chapra in connection with Sonepur P.S. Case No. 567 of 2018 subject to the conditions that

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.
- d. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of



verification.

(Sourendra Pandey, J)

Prakash/-

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