

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19681 of 2025

In
CRIMINAL APPEAL (SJ) No.5630 of 2024

Arising Out of PS. Case No.-274 Year-2024 Thana- PAROO District- Muzaffarpur

Munna Kumar @ Munna Ram S/o Ramesh Ram R/o Vill.- Gopalpur, Laloo Chhapara, P.S.- Paroo, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bachiya Devi @ Bacchi Devi W/O Gonaur Ram R/O Vill.- Nayatola, P.S.- Paroo, Dist.- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kaushal Kishor, Advocate
For the Informant	:	Mr. Harsh Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Usha Kumari 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 09-05-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the state.

2. The petitioner seeks regular bail in connection with Paroo P.S. Case No. 274/2024 of 2024 instituted for the offences under Sections 103(1), 70(2)/3(5) of the B.N.S., 2023 and Sections 4/6 of POCSO Act and Sections 3(1)(R), 3(1)(s), 3(2)(v)(va) of SC/ST Act, petitioner has clean antecedent.

3. The prosecution story in short is that the informant in her written report has alleged that her son Sunil Ram along



with her husband and their minor daughter namely Rupa Kumari were sleeping when the co-accused Sanjay Rai along with his five friends came on motorcycles and abused the informant as well as her husband and son and threatened that they would commit rape upon her daughter. Thereafter, she further alleged that they forcibly entered into the house and assaulted the informant and others and they forcibly took away their daughter namely Rupa Kumari on the motorcycle. The informant had stated that she looked for her daughter whole night, however, the next day, i.e., on 12.08.2024 she was informed that her daughter's body was found with her clothes torn and her feet tied with rope. The informant had further alleged that co-accused Sanjay Rai along with his friends had forcibly taken away her daughter and had committed rape upon her and subsequently they had killed her.

4. It is submitted by learned counsel for the petitioner that petitioner has been made an accused merely because he was known to his friend Sanjay Rai, who was close to the deceased Rupa Kumari and it was on the statement of the co-accused Sanjay Rai his name has surfaced in the present case though he was not named in the FIR. It is further submitted that the petitioner has been made an accused on statement of Sanjay Rai



which is evident from the case diary. It is also submitted that there is nothing on record to connect the petitioner with the said crime as during investigation nothing incriminating has been found which would connect the petitioner with the alleged incident. Learned counsel has further submitted that similarly situated co-accused person has already been granted bail by a Co-ordinate Bench of this Court, namely, Chunnu Kumar, vide order dated 15.04.2025, passed in Criminal Misc. No. 89610 of 2024. It is lastly submitted that the petitioner has no criminal antecedent and he is in custody since 20.08.2024.

5. Learned counsel for the informant submits that the informant Rupa Kumari was brutally killed by Sanjay Rai and his associates and the petitioner was one of them as his name has transpired on the basis of the confessional statement of the co-accused Sanjay Rai.

6. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and has pointed out that the name of the petitioner has surfaced on the confessional statement of the co-accused Sanjay Rai and the police has recorded such fact in the case diary wherein it has been stated that Sanjay Rai had named the petitioner as one of the accomplice in the crime and a reference to the confessional



statement of the petitioner was also there in the case diary.

7. Considering the aforesaid submissions of learned counsel for the petitioner and the fact that nothing incriminating has been found to connect the petitioner after the alleged confessional statement of the co-accused Sanjay Rai and also considering the fact that similarly situated co-accused person has already been granted bail by this Court, I am inclined to grant the petitioner privilege of regular bail.

8. Accordingly, the prayer for bail is allowed.

9. Let the petitioner, above named, is directed to be released 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 Special Judge POCSO Court II, Civil Court, Muzaffarpur in connection with Paroo P.S. Case No. 274 of 2024, subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner



will be liable to be canceled by the Court concerned.

(iv) 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)

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