

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39545 of 2025

Arising Out of PS. Case No.-652 Year-2023 Thana- WAJIRGANJ District- Gaya

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SUMAN KUMAR @ SHIVAM KUMAR S/o- Basudev Prasad @ Fekan
Mistri Mohalla- Tarwan PS-Wazirganj District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jitendra Kumar S/o- Late Mangar Prasad Mohalla- Tarwan PS-Wazirganj District- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shailesh Kumar, Adv.
		Mr. Shahbaj Alam, Adv.
For the Opposite Party/s :		Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Wazirganj P.S. Case No. 652 of 2023 dated 01.11.2023 registered for the offences punishable under Section 376 read with Section 34 of the Indian Penal Code and Section 4 of POCSO Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have threatened and committed rape on the informant's daughter.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The charge-sheet has been submitted against the petitioner. There is love affair between the petitioner and the victim. The specific allegation of committing rape is against the co-accused, Rahul Kumar rather the allegation against the petitioner is of threatening the victim. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.07.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the victim is a minor girl. It is further submitted that as per the medical report, the age of the victim assessed as 14 to 15 years and possibility of rape is not denied which is mentioned at para-5 of the impugned order.

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, Gaya in connection with Wazirganj P.S. Case No. 652 of 2023.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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