

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35731 of 2025

Arising Out of PS. Case No.-62 Year-2024 Thana- MAHILA PS District- Buxar

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1. Vikash Kumar @ Vikas Rajbhar S/O Keshav Rai R/O Village- Khirauli, PS- Dumraon, Distt.- Buxar
 2. Sonu Kumar @ Sanu Rajbhar S/O Late Jeetan Rajbhar R/O Village- Khirauli, PS- Dumraon, Distt.- Buxar
 3. Shri Bhagwan Rai @ Rangeela Rai @ Rangeela S/O Shivnath Rai R/O Village- Khirauli, PS- Dumraon, Distt.- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Vasantu @ Santlal S/O Late Prasidhdhan @ Late Prasidhan R/O Vill.- Jamgaon, P.O.- Kaithi, Dist.- Sonbhadra, U.P.- 231215

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 17-06-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with POCSO Case No. 127/2024 (Buxar Mahila) P.S. Case No. 60/2024 dated 30.08.2024 registered for the offence punishable u/s 70(1) and 331(4) of the B.N.S and Section 4 and 6 of the POCSO Act.

3. As per the prosecution case, the petitioners and co-accused persons are alleged to have committed rape on the informant's daughters one by one.



4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the possession of the petitioners. The victims have been examined as P.W. 1 and 2 and they have not supported the prosecution case and in their cross-examination they have stated that the accused persons have not committed any offence against them. As per Annexure-5, the informant has been examined as P.W. 3 who has been declared hostile and she in her cross-examination has stated that no rape was committed on the victims. It is further submitted that the P.W. 4 who has been declared hostile by the prosecution did not identify the accused persons. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioner No. 1 and 2 are in custody since 30.08.2024 and the petitioner no. 3 is in custody since 31.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners. The victims in their statement recorded u/s 183 of the B.N.S.S. has supported the prosecution case.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing



bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Buxar, in connection with POCSO Case No. 127/2024 (Buxar Mahila) P.S. Case No. 60/2024, with the condition:-

(i). The petitioner are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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