

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48283 of 2025

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

Bipin Kumar S/O Shatrudhan Ram R/O Vill.- Naya Tola, Nema Patti Pakuli,
P.S.- Paroo, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bacchi Devi W/O Gonour Ram R/O Vill.- Naya Tola, P.S.- Paroo, Dist.- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar, Advocate

For the Opposite Party/s : Ms.Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 25-07-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks regular bail in a case registered for the offences punishable under Sections 126(2), 127(2), 115(2), 75, 76, 66, 103(1), 238 read with Section 3(5) of B.N.S. and Section 4/6 of POCSO Act and Section 3(1)(r)(s)(w), 3(2)(v)(va) of SC/ST (POA) Act.

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 her 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 torn clothes 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. Learned counsel for the petitioner has submitted that the petitioner is not named in the FIR and the name of the petitioner has surfaced in the confessional statement of the co-accused Sanjay Rai. It is also submitted that there is nothing on record to connect the petitioner with the said crime as during the course of investigation nothing incriminating has been found which would connect the petitioner with the alleged incident. It is also submitted that similarly situated co-accused persons, namely, Chunnu Kumar, Pankaj Kumar have already been granted bail by this Court vide orders dated 15.04.2025,



17.07.2025 passed in Cr. Misc. No. 89610 of 2024 and Cr. Misc. No. 22934/2025. It is lastly submitted that the petitioner has clean antecedent and is in custody since 16.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of learned counsel for the petitioner and the fact that nothing incriminating has been found to connect the petitioner barring the alleged confessional statement of the co-accused Sanjay Rai, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur, in connection with Paroo P.S. Case No. 274 of 2024, subject to the following conditions:-

- 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, the bail bond of the petitioner will be liable to be cancelled by the court concerned.



d. 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 aforementioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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