

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67879 of 2024

Arising Out of PS. Case No.-718 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

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Ajay Pratap @ Ajay Kumar Son of Shivchand Ram @ Shivchandra Ram R/O
Vill.- Goura, Madanpur, P.S.- Nagra, Dist.- Balia, U.P.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Anchal Kumari D/O Arvind Singh R/O Vill.- Gopalbari, Ward no. 07, P.S.-
Mashrakh, Dist.- Saran, Chapra, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv.

For the Opposite Party/s : Mr.Mohammed Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 02-04-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Ahiyapur P.S. Case No. 718 of 2024 dated 02.06.2024 registered for the offences punishable u/ss 343, 345, 348, 385, 420, 406, 467, 462, 307, 120B, 387, 314, 376(1)(2), 377, 369 and 366A of the Indian Penal Code.

3. As per the prosecution case, the co-accused namely Tilak Kumar is alleged to have committed rape on the victim girl several times on the promise of marriage due to which she got pregnant three times and the co-accused, Tilak Kumar got



the child aborted by giving her anti abortion medicine.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the complaint case. The name of the petitioner has surfaced in this case during the course of investigation. There is no specific allegation against the petitioner rather the specific allegation of rape is against the co-accused, Tilak Kumar. The victim in her statement recorded u/s 161 and 164 of the Cr.P.C. has supported the prosecution case but she has not taken the name of the petitioner in the alleged offence. The petitioner has no concern with the alleged offence. The charge-sheet has been submitted against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.06.2024.

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

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, Muzaffarpur in connection with Ahiyapur P.S. Case
No. 718 of 2024 with the condition :-

*(i) The petitioner is 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 bond of
the petitioner is liable to be cancelled.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

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