

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.932 of 2025

Arising Out of PS. Case No.-68 Year-2024 Thana- CHHABILAPUR District- Nalanda

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Mukesh Kumar, aged about 21 years (Male), S/O Ram Parves Yadav @ Lal Babu Yadav @ Ram Praves Yadav, Resident of Village - Halimchak, P.S- Chhabilapur, Dist- Nalanda.

... .. Petitioner

Versus

1. The State of Bihar.
2. Suryamani Devi, W/O Indu Yadav, Resident of Village - Halimchak, P.S- Chhabilapur, Dist- Nalanda.

... .. Opposite Parties

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Appearance :
For the Petitioner : Mr. N. A. Shamsi, Advocate
For the State : Mrs. Sharda Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Chhabilapur P.S. Case No. 68 of 2024, (POCSO Case No. 79 of 2024) dated 05.06.2024 registered for the offences punishable under Sections 376, 201, 120B, 506 of the I.P.C. and Sections 4 and 6 of the POCSO Act.

3. As per the prosecution case, on 22.05.2024 between 11 A.M. to 12 P.M. the petitioner entered the house of the



informant and committed rape on her minor elder daughter.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the police after investigation has submitted charge sheet in the present case on 31.07.2024. It is submitted that the victim has been examined before the learned court below as P.W. 1 and she in her deposition has deposed that the petitioner has not committed rape on her and the petitioner has falsely been implicated in the present case, annexed as Annexure-2 to the present bail petition. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 07.06.2024.

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 and the fact that the victim in her deposition has not alleged against the petitioner regarding commission of rape on her, 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 Special Judge (POCSO Act), Bihar Sharif at Nalanda in connection with



POCSO Case No. 79 of 2024 (Chhabilapur P.S. Case No. 68 of 2024).

7. The application stands allowed.

(Chandra Prakash Singh, J)

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