

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52919 of 2025

Arising Out of PS. Case No.-83 Year-2022 Thana- PATAHI District- East Champaran

Santosh Kumar S/o Chhabila Sah @ Chhabela Shah Village - Kodariya, P.S. -
Patahi, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. Khushi Kumari D/o Jitendra Das R/o Village - Khutauna, P.S. - Patahi, Dist.-
East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Paswan

For the Opposite Party/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 08-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376 (DA), 506, 34 of the Indian Penal Code and Sections 3(i)(r)(s)w(i), 3(2)(v) of the SC/ST Act and Section 4, 6, 8, 10, 14 of the POCSO Act.

3. The allegation against the petitioner is that he along with other co-accused persons committed rape upon the informant/victim.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to ulterior motive. As per statement of the victim recorded under Section 164 of the Cr.P.C., which is



annexed with case diary, wherein victim raised that some unknown persons committed wrongdoings with her but she did not identify that the petitioner was one of them. It is further submitted that the petitioner is languishing in judicial custody since 07.06.2025. He has also submitted that on exactly similar footing, co-accused Mritunjay Pandey has been granted regular bail by a coordinate Bench of this Court vide order dated 16.05.2023 in Cr. Misc. No. 16532 of 2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the above-mentioned facts and circumstances as well as the fact that co-accused has been granted bail, this court enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Patahi P.S. Case No. 83 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Exclusive Special Judge (POCSO and Rape Cases), East Champaran at Motihari.

(Nawneet Kumar Pandey, J)

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