

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38632 of 2015

Arising out of PS.Case No. -65 Year- 2015 Thana -GOGRI District- KHAGARIA

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Munna Paswan, S/o late Palat Paswan, resident of Village-Gogri Latra tola,
Ps Gogri District Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : M/S. Vijay Anand, Binod Kumar and Arun
Kumar Gupta, Advocates.

For the Opposite Party : Mr. Deepak Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-10-2015 Heard learned counsels for the petitioner, informant and

learned counsel for the State

The petitioner is languishing in custody since 17.04.2015
in connection with Gogari P.S. Case No. 65 of 2015 for the
offences instituted under Sections 376, 341, 323, 504 of the IPC
and ¾ of the POCSO Act.

The prosecution story, in brief, is that Punam Kumari
lodged F.I.R. against the petitioner and other co-accused persons
mentioning therein that on 16.2.2015 at 12.30 night, the petitioner
accused Munna Paswan entered into the house of the informant
caught hold her, closed her mouth, came out of Court-yard, took
away the informant to his house and committed rape with her.
Further on alarm raised by the informant, the mother and brother
of the informant went at the house of the accused. Thereafter the

accused petitioner Munna Paswan and his family members assaulted them by fists.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 17.04.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. From perusal of paragraph nos. 54, 55 and 56 of the case diary it is evident that there was love affair between the victim and the petitioner which was not liked by the parents of the victim. Hence, this prosecution.

On behalf of the learned counsels for the informant and the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Ist Additional Sessions Judge, Khagaria, in connection with Gogari P.S. Case No. 65 of 2015.

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(Sudhir Singh, J)