

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42113 of 2015

Arising Out of PS.Case No. -38 Year- 2015 Thana -MAHILA PS District- JEHANABAD

=====

Rajesh Kumar @ Kundan S/o Chhotan Singh @ Raj Kishore Singh
Resident of Village Horilganj, P.S. Jehanabad, District Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Manoj Kumar Singh

For the Opposite Party : Mr. B.M.P.Sinha (App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-11-2015 Heard the counsel for the petitioner and counsel for
the State.

The petitioner is languishing in jail since 04.05.2015 in
a case instituted under Sections 376/34 of the Indian Penal Code
and Section 6 of POCSO Act.

As per the prosecution case, it is a case of rape
committed upon the informant by the petitioner.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 04.05.2015. Chargesheet has
been submitted in the case. There is no allegation of tampering of
evidence against the petitioner. There is a contradiction between
the statement made in the FIR and also the statement made under
Section 164 Cr.P.C of the victim. The medical examination do not

support the allegations made in the FIR. It is further submitted that the petitioner may be released after completion of nine months in custody from 04.05.2015.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, it is directed that the petitioner be released after completion of nine months in custody from 04.05.2015 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction learned Ist Additional Sessions Judge-I, Jehanabad in connection with Mahila (Jehanabad) P.S. Case No.38 of 2015.

(Sudhir Singh, J)

B.Kr./-

U		T	
---	--	---	--