

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48415 of 2015

Arising Out of PS.Case No. -259 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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RAJ KUMAR SINGH, SON OF LATE KAMAL SINGH, RESIDENT OF
VILLAGE - SAHBAJPUR, P.S. - AHIYAPUR, DISTRICT -
MUZAFFARPUR.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 09-11-2015 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Ahiyapur
P.S. Case No. 259 of 2015 registered under Sections 342, 376, 511,
225 and 120(B) of the Indian Penal Code and later on, Sections 8,
10, 12 and 17 of the Protection of Children from Sexual Offence
Act (POCSO Act) has been added.

The accusation is that Manish Kumar, the tenant of the
petitioner, caught hold forcibly to Madhu Kumari, daughter of the
informant, and carried her in his room, where Manish Kumar tried
to commit rape. At that time, this petitioner along with his wife on
raising alarm by Madhu Kumari reached there and got set free to
Manish Kumar.

Learned counsel for the petitioner submits that the allegation against the petitioner is only to facilitate to co-accused, Manish Kumar, from the place of occurrence, where he made attempt to commit rape at Madhu Kumari. It is further submitted that, in fact, petitioner is the landlord of the said house and due to ulterior motive petitioner along with his wife have falsely been implicated in this case. It is further submitted that petitioner is in custody since 28.03.2015. Learned counsel for the petitioner further submits that co-accused, Shashi Devi, wife of this petitioner, has already been granted privilege of bail by a Bench of this Court vide order dated 25.08.2015 passed in Criminal Misc. No. 35139 of 2015.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge POCSO Act, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 259 of 2015. Out of two sureties, one surety must be the close relative of the petitioner

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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