

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41351 of 2015

Arising Out of PS.Case No. -106 Year- 2015 Thana -MOTIPUR District- MUZAFFARPUR

1. Jitendra Ram S/o Rajdeo Ram, R/o of Vill. Singaila, P.S.- Motipur,
District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi

For the Opposite Party/s : Mr. Suresh Pd. Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody in a case registered under
Section 376 of the Indian Penal Code as well as under Sections 4/6
of the POSCO Act.

The allegation against the petitioner is of committing
rape upon the daughter of the informant.

It has been submitted on behalf of the petitioner
that the petitioner has got no criminal antecedent. He is in custody
since 22.5.2015. Charge sheet has been submitted in this case.
There is no allegation of tampering with the evidence against the
petitioner. The petitioner has been falsely implicated in the present
case due to oblique reason. Medical examination of the victim is

mentioned in para 56 of the case diary. There is no finding by the doctor in respect to the allegation made against the petitioner. From perusal of the case diary it would appear that there is no FSL report to support the allegation made in the FIR.

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

Considering the facts aforesaid, let above named petitioner 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 learned Special Judge, POCSO, Muzaffarpur in Motipur P.S.Case No. 106/2015.

(Sudhir Singh, J)

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