

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19410 of 2016

Arising Out of PS.Case No. -329 Year- 2015 Thana -DIGHA District- PATNA

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Jitendra Sahani @ Jitendra Mahto Son of Yogendra Mahto, Resident of
Mohalla - Magadh Colony, Kurji, Police Station - Digha, District - Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr. Pushpa Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 05-05-2016

Heard learned counsel for the petitioner and
learned counsel for the State.

Petitioner is accused in connection with Special
(POCSO) Case No. 159 of 2015 arising out of Digha P.S. Case
No. 329 of 2015 registered under Sections 376/34 of the I.P.C.

The accusation is of committing rape by this
petitioner to the minor daughter of the informant.

Learned counsel appearing on behalf of the
petitioner submits that in fact, the petitioner and informant are
tenant in the same house and due to some altercation, the
informant got implicated the petitioner with the false allegation
about committing rape at his minor daughter. Further submission
is that in course of investigation, the daughter of the informant has

been examined as P.W. 3 in Special Case No. 159 of 2015 in which she has not supported the case of the prosecution. It is also submitted that petitioner has no criminal antecedent and is in custody since 11.05.2015.

Having considered the facts and circumstances of the case, let the 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 1st Additional Sessions Judge, Patna in connection with Special (POCSO) Case No. 159 of 2015 arising out of Digha P.S. Case No. 329 of 2015 Out of two sureties, one surety must be parents or close relatives of the petitioner.

Shail/-

(Rajendra Kumar Mishra, J)

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