

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19277 of 2016

Arising Out of PS.Case No. -111 Year- 2015 Thana -JALALGARH District- PURNIA

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Pankaj Kumar, son of Rajendra Bishwas, Resident of village Parwanpur,
P.S. Jalalgarh, District Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 04-05-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Special Case
No.49 of 2015, arising out of Jalalgarh P.S. Case No.111 of 2015,
registered under Section 376 of the Indian Penal Code and POCSO Act.

The accusation against the petitioner is of entering in the
house of the informant in the night of 26/27.08.2015 and committing
rape on the minor daughter of the informant, while the daughter of the
informant made protest but she was threatened and, thereafter, the
petitioner fled away. The daughter of the informant narrated the story
of the said occurrence to her mother and in the morning, the informant
went to the house of the petitioner and made complaint to the father of
the petitioner, who confessed the guilt of his son/petitioner and asked to

settle the matter in the Panchayati but they avoided to arrange the Panchayati and lastly, refused to arrange the Panchayati.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that for the occurrence alleged to have taken place in the night of 26/27.08.2015, the present F.I.R. was lodged on 30.08.2015, after four days of the occurrence. In fact, the petitioner and the informant are next door neighbour and due to ulterior motive, the petitioner has falsely been implicated in this case. The petitioner having no criminal antecedent is in custody since 30.03.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge-cum-Special Judge, Purnea, in connection with Special Case No.49 of 2015, arising out of Jalalgarh P.S. Case No.111 of 2015.

(Rajendra Kumar Mishra, J)

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