

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18800 of 2016

Arising Out of PS.Case No. -108 Year- 2014 Thana -KASBA District- PURNIA

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Shah Jamaluddin @ Md. Sah Jamal Son of Abdul Aziz, Resident of
Village - Khorbari, P.S. - Kasba, District - Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amit Kumar Anand, Advocate
For the Opposite Party : Mr. Anusuiya Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is in custody since 10.12.2015 in connection
with **Kasba P.S.Case No.108 of 2014** registered for the offence
under Sections 376, 323 and 324/34 of the IPC and Section 4 of
the POCSO Act.

As per the prosecution case, it is a case of rape upon the
victim by the accused persons.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 10.12.2015. Chargesheet has been
submitted in the case. Petitioner has got no criminal antecedent.
The alleged occurrence is said to have taken place on 26.03.2014
and a complaint was filed on 01.05.2014. Delay in filing the

complaint has not been explained by the prosecution. From perusal of para-98 of the case diary, it is evident that the medical examination report of the victim do not support the allegations made in the complaint petition which was later on registered as an FIR under Section 156(3) of the Cr.P.C.

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

Considering the aforesaid facts and circumstances, 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 **Additional Sessions Judge-cum-Special Judge, Purnea** in connection with **Special Case No.01 of 2016** arising out of **Kasba P.S.Case No.108 of 2014**.

(Sudhir Singh, J)

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