

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53131 of 2015

Arising Out of PS.Case No. -34 Year- 2015 Thana -MAHILA PS District-
EASTCHAMPARAN(MOTIHARI)

Manoj @ Manoj Kumar Manjhi, S/o Bengali Manjhi, resident of Village
Saphi Birti Tola, Turkaulia District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate.
For the Opposite Party/s : Mr. Sadanand Paswan (APP)

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 18-02-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Mahila
(Motihari) P.S. Case No. 34 of 2015 registered under Sections
341, 342/34 of the Indian Penal Code and Section 3(2)(v) SC, ST
Act and Sections 3, 4 and 6 of the Protection of Children from
Sexual Offence AC (POSCO Act) and later on Section 376 of the
Indian Penal Code is added.

The accusation against the petitioner and others is of
catching hold the victim, Sunita Kumari, and took her to the bank
of river and committing rape. Thereafter they were talking to
commit her murder but anyhow informant succeeded to flee away

on pretext of attending of call of nature.

Learned counsel for the petitioner submits that petitioner is the cousin brother of the informant, Sunita Kumari, and due to family dispute petitioner has falsely been implicated in this case. Moreover, the victim was medically examined but no any sign of rape was found. It is further submitted that petitioner has no criminal antecedent and is in custody since 31.07.2015.

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 Ist Additional Sessions Judge, East Champaran, Motihari, in connection with Mahila (Motihari) P.S. Case No. 34 of 2015. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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