

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27489 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -MAHILA PS District- AURANGABAD

Uday Ram S/o Sri Ram Sunder Ram R/o Vill Sarsauli, Subash Nagar,P.S.
Jamhore,District-Aurangabad

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Mahila P.S. Case No.11 of 2016 for the offences instituted
under Sections 376, 120(B) of the IPC. and 4 of the POCSO Act.

The prosecution story, in brief, is that on 13.02.2016 at
about 11.00 P.M. when the informant, namely, Pushpa Kumari
aged about 16 years was in the house of her Fua and Fufa situated
at village- Sarsauli, one her villager co-accused, Ranjan Kumar
committed rape on her and when she raised alarm, villagers came
there and they caught him. Then Ranjan Kumar promised to marry
with her. Next day, a panchayati was convened in which the date
of marriage was fixed on 20.02.2016. When on 20.02.2016 the

informant alongwith her family members reached Jamhore temple for the purpose of marriage but Ranjan Kumar and his family members did not reach there upon which the informant informed the Jamhore Police Station. Then the father of Ranjan Kumar filed an information in court that his son is minor.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. Prior to institution of present case (Annexure-1) dated 23.04.2016, a complaint case was filed by the informant vide Annexure-3 to the present application. The said complaint case was filed on 23.02.2016. The petitioner has not been made accused in the complaint case. Subsequently for ulterior motive, petitioner was made accused in the present case only for the reason that he happens to be the father of Ranjan Kumar against whom there is allegation of committing the offence.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Mahila P.S. Case

No.11 of 2016 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO Act, Aurangabad, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

AnilKrSinha/-

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