

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1201 of 2016

Arising Out of PS.Case No. -79 Year- 2015 Thana -MAHILA P.S. District- SIWAN

=====

Bishram Sahani, Son of Rameshwar Sahani, Resident of Village - Balaha,
P.S. - Darauli, District - Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Jitendra Pandey

For the Opposite Party : Mr. Sadanand Paswan (Spl.App)

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 22-02-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Siwan Mahila P.S. Case No. 79 of 2015, registered under Section 376 of the Indian Penal Code, Section 6/8 of POCSO Act and Section 3(i)(xii), 3(2)(v) of SC/ST Act.

Learned counsel appearing on behalf of petitioner submits that it would appear from the F.I.R. itself that informant is not the eye-witness of the occurrence regarding committing rape on her daughter Ranjana Kumari aged about 3 years and according to the written report of the informant, Sadar Mahila P.S. Case No. 79 of 2015 was instituted on 03.06.2015 against unknown, but latter on, the name of the petitioner was added.

Further submission is that Fulmati Devi, Gajanan Gaud and Saraswati Devi have stated in their statements vide para 14, 15 and 16 that they have heard about committing rape by this petitioner at victim Ranjana Kumari, except that there is nothing against the petitioner and he has been falsely implicated in this case merely on suspicion. The petitioner has no criminal antecedent and he is in custody since 08.08.2015.

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 Special Judge-cum-Additional District Judge-1st Siwan, in connection with Siwan Mahila P.S. Case No. 79 of 2015.

(Rajendra Kumar Mishra, J.)

manish/-

U		T	
---	--	---	--