

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55286 of 2015

Arising Out of PS.Case No. -105 Year- 2015 Thana -NAWAKOTHI District- BEGUSARAI

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Anil Mahton @ Anil Kumar Mahto Son of Dineshwar Mahto, Resident of
Village- Pirnagar, P.S.- Naokothi, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-02-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 376 of the Indian Penal Code and Section 4 of the POCSO Act.

Allegation against the petitioner is of committing rape upon the informant.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. The alleged date of occurrence is 8.8.2015 but the F.I.R. was instituted on 10.8.2015. The delay has not been explained by the prosecution. From perusal of the medical examination report of the victim it appears that the doctor has found no sign of rape upon the victim. Hence, the medical examination report does not support the allegation made in the F.I.R.

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

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on

furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Begusarai, in connection with Naokothi P.S. Case no. 105 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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