

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47335 of 2017

Arising Out of PS.Case No. -58 Year- 2017 Thana -SARAI District- VAISHALI(HAJIPUR)

Uma Shankar Manjhi, Son of Punit Manjhi, Resident of village-
Sitalbhakurahar, P.S.- Sarai, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 09-10-2017 Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner apprehends his arrest in connection with Sarai
P.S. Case No.58 of 2017 registered under Sections 376 and 511 of the
Indian Penal Code besides Sections 4, 6 and 8 of the POCSO Act.

The accusation is that on 19.04.2016, the informant Indu Devi
alongwith his daughter Rubi Kumari had gone to graze the buffalo at
Mohna Chaur. Thereafter, the informant leaving her daughter and
buffalo there came to her house. In the evening, when the informant
went to take her daughter and buffalo there, her daughter was not seen.
The informant started to search her daughter and raised alarm and, after
sometime, the daughter of the informant came from the ditch and after
coming near the informant, showed the currency of Rs.10/-. After



sometime, from the same ditch, the petitioner came and fled away to his house boarding on the bicycle. On query, the daughter of the informant, who was deaf and dumb, indicated the informant that this petitioner had given Rs.10/- for committing rape on her.

Learned counsel for the petitioner submits that while the occurrence is of 19.04.2016 but the present case has been lodged on 22.04.2017, i.e., after about one year of the occurrence. In fact, the informant and the petitioner are co-villagers and due to grudge and enmity, the petitioner has falsely been implicated in this case by the informant. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vaishali at Hajipur, in connection with Sarai P.S. Case No.58 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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