

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28107 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -MAHILA P.S. District- KISANGANJ

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Pankaj Kumar Sah @ Pankaj Kumar Sha Son of Raj Kumar Sah Resident of
Village- Harwadanga, Police Station- Dighalbank in the district of
Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Kishanganj (Mahila) P.S.Case No. 05 of 2017 registered for the
offences punishable under Sections 363, 366A, 376 of the Indian
Penal Code and 4 of POSCO Act, 2012.

Allegation against the petitioner is of commission of
rape upon the prosecutrix.

It has been submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case and informant
has not supported the prosecution case in her evidence in court and
petitioner is in custody since 12.2.2017.

Heard learned APP also.

Having heard both sides and in view of submission of



learned counsel for the petitioner, as stated above, this application is being disposed of with a direction to the court below to verify the fact that prosecutrix has not supported the prosecution case and if it is correct, the court below will release the petitioner on bail on his own satisfaction, otherwise he will be free to pass any other order(s) as he may deem fit and proper.

This application is disposed of with the above observation.

(Vinod Kumar Sinha, J)

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