

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45944 of 2017**

Arising Out of PS.Case No. -233 Year- 2017 Thana -RANIGANJ District- ARRARIA

=====

Md. Usman @ Usman, son of Late Md. Karamat @ Karamat, resident of village-Hasanpur, Kujra Tola, Ward No.7, Police Station Raniganj, District Araria. .... Petitioner.

Versus

The State of Bihar. .... Opposite Party.

=====

**Appearance :**

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Rana Randhir Singh

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL**  
**ORAL ORDER**

02    19-09-2017                      Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Raniganj P.S. Case No.233 of 2017 registered under Section 376 of the Indian Penal Code and Section 4 of the POCSO Act.

As per the prosecution case, the petitioner is said to have committed rape against the minor daughter of the informant aged about 7 years.

It is submitted by learned counsel for the petitioner that no such occurrence, as alleged, has taken place. As a matter of fact, the informant is in habit of filing false and frivolous cases against others and after taking money get the same compromised. In the said bid, she has filed Raniganj P.S. Case No.276 of 2007 under Section 376, 504 & 506 of the Indian Penal Code against



one Md. Sukhunu and, later on, got it compromised accepting money from the accused persons. It is further submitted that doctor has not found any injury on any part of the body including the private part of the victim & her hymen intact and has opined that no sexual assault has been committed against the victim. The petitioner has been languishing in custody since 30.06.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 the learned 1<sup>st</sup> Additional Sessions-cum-Special (POCSO) Act, Araria in connection with Raniganj P.S. Case No.233 of 2017.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

