

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45898 of 2017

Arising Out of PS.Case No. -48 Year- 2016 Thana -MAHILA P.S. District- SEKHPURA

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1. Ashok Sao @ Ashok Kumar Son of Dev Narayan Sao, resident of
Village- Chordargah, P.S.- Ariyari (Mahila O.P.), District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat, Adv.

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh, A.P.P

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 29-11-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Mahila Police Station Case No. 48 of 2016, disclosing
offences under Sections 376 (D) and 506 of the Indian Penal
Code and Section 4 of the POCSO Act.

Learned counsel for the petitioner has submitted that
the petitioner, who is of clean antecedent, is innocent and has
not committed any offence. In fact, the allegation of commission
of rape upon the victim girl is attributed against co-accused,
Sujeet Sao, which is evident from the F.I.R. itself. The police
after completion of investigation has submitted final form
finding the case to be false against the petitioner. Moreover,



medical report of the victim does not support the allegation of commission of rape upon her, which is evident from annexure-2. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional District & Sessions Judge, Sheikhpura, in connection with Mahila Police Station Case No. 48 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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