

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53048 of 2017

Arising Out of PS.Case No. -60 Year- 2017 Thana -GADHPURA District- BEGUSARAI

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1. Govind Sahni @ Govind Sahani, S/o Guneshwar Sahni, R/o Village-
Manikpur, P.S.- Garhpura, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Daya Shankar Prasad Sinha

For the Opposite Party/s : Mr. Sri Ramchandra Singh

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

ORAL ORDER

3 12-12-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in connection with Garhpura P.S.
Case No.60 of 2017 registered under Sections 341, 323, 504, 376
and 34 of the Indian Penal Code and Sections 8, 12 and 17 of
POCSO Act.

The petitioner along with other accused are said to have
committed rape against the daughter of the informant.

It is submitted by learned counsel for the petitioner that
there is no independent witness of the occurrence. Son of the
informant, namely, Nitesh Kumar and Mukesh Sahni have made
attempt to commit murder of the cousin of the petitioner and had
also extended threatening of dire consequences to his aunt and her



family members. Regarding the said occurrence, his aunt, namely, Sunita Devi has lodged FIR on 11.6.2017 and due to aforesaid grudge, the informant has falsely implicated the petitioner in the case. It is further submitted that the occurrence is said to be of 08.06.2017 but FIR has been lodged after inordinate delay on 16.7.2017 without assigning any plausible reason for the said delay. It is further submitted that though the victim has supported the prosecution case in her statement under Section 164 Cr.P.C. but she did not face the medical examination rather escaped from the hospital along with her family members. The petitioner has been languishing in custody since 17.08.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-I-cum-Special Judge, POCSO Act, Begusarai in connection with Garhpura P.S. Case No.60 of 2017

Sanjeev/-

(Prakash Chandra Jaiswal, J)

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