

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26757 of 2017

Arising Out of PS.Case No. -133 Year- 2012 Thana -BUNIADGANJ District- GAYA

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Raj Kumar Viswakarma @ Loha Singh S/o Ram Bhajan Mistry, resident of
Sheocharan Lane, P.S.- Buniyadganj, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Nand Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Buniyadganj P.S. Case No. 133 of 2012 registered for the offences
punishable under Sections 376 (2) (F), 302 and 201 of the Indian
Penal Code.

In the first information report the petitioner is named but
after completing investigation he was not sent-up for trial and only
chargesheet was submitted against co-accused Md. Siddu @
Akbar. During trial the petitioner has been summoned under
Section 319 Cr.P.C.

Submission is of false implication and that there is no legal
material against the petitioner, the witnesses during trial have only
stated the name of the petitioner, during investigation it has come



that the petitioner has got no concern with the crime and as such he deserves sympathetic consideration.

Learned APP fairly submits that the petitioner was not sent up for trial.

In the facts and circumstances stated above, the petitioner above named, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be released on bail is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-Ist-cum-Special Judge (POCSO Act), Gaya in connection with Buniyadganj P.S. Case No. 133 of 2012 (POCSO Case No. 41 of 2017), subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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