

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1937 of 2017

Arising Out of PS.Case No. -8 Year- 2016 Thana -MAHILA PS District- DARBHANGA

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Md. Saddam @ Rajan, Son of Md. Ansar, Resident of Village-Malpatti,
P.S. Kamtaul, District-Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shama Sinha

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-01-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Mahila
P.S. Case No. 08 of 2016, registered under Sections 147, 323,
341, 504 and 376/34 of the Indian Penal Code and Section 4/6 of
POCSO Act.

The accusation is of committing rape by the
petitioner and one other upon the minor daughter of the
informant/complainant on 29.09.2015.

Learned counsel appearing on behalf of the
petitioner submits that it would appear from the Complaint Case
No. 2090 of 2015, which is basis of the F.I.R., that occurrence of
rape is said to be committed at the minor daughter on 29.09.2015
in the evening, but the F.I.R. was lodged on



23.01.2016 after more than three months of the occurrence. Further submission is that, in fact, the petitioner is the next door neighbour of the complainant and due to grudge and enmity, he has falsely been implicated in this case. The petitioner is in custody since 08.08.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released 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 Special Judge (POCSO Act), Darbhanga in connection with Mahila P.S. Case No. 08 of 2016.

(Rajendra Kumar Mishra, J)

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