

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36558 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -MAHILA PS District- JEHANABAD

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1. Rahul Sapera Son of Late Bineshwar Sapera, R/o Village- Sipara
Balbapar, P.S.- Hilsa, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
09.04.2017 in connection with Mahila P.S. Case No. 22 of 2017
for offences punishable under Sections 341, 354, 376, 511 and 504
of the Indian Penal Code and Section 8 of the POCSO Act.

The prosecution case, as lodged by the victim girl,
Sangita Kumari is that while in the after noon, she has gone
outside the house for natural call, the petitioner came from behind
and dragged her in a field and tried to outrage her modesty.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and no



overt act has been committed by him. He submits that a joint compromise petition has been filed before the learned court below of cordial relationship and the doctor has opined the age of the victim girl as 17-18 years as such, POCSO Act will not apply and the doctor has also opined that the informant is 3 ½ months pregnant. He submits that petitioner is a dancer and because he was working with the informant's family, and he was not given any remuneration and on asking, such false case has been lodged against him. It is further stated that charge-sheet has already been submitted hence, there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Additional District Judge-I, Jehanabad, in connection with Mahila P.S. Case No. 22 of 2017.

(Nilu Agrawal, J)

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