

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.792 of 2018**

Arising Out of PS. Case No.-161 Year-2017 Thana- RUPAULI District- Purnia

Suraj @ Chhote Lal Mandal Son of Dinanath Mandal Resident of village-  
Mahaballa, P.S.- Rupauli, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. SMT. INDU BALA PANDEY

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

3      05-02-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner seeks bail in **Spl. Case No. 58 of 2017**  
**arising out of Rupauli P.S. Case No. 161 of 2017** registered for  
the offence punishable under Sections 452, 376, 511 of the  
Indian Penal Code and Section 8 of the POCSO Act.

Informant is the mother of the victim who in her  
written complaint had stated that she and her daughter were  
sleeping in the house on 16.07.2017 when the petitioner early in  
the morning at about 4:00 am entered her house and attempted  
to commit rape on her daughter and when her daughter raised  
alarm she awoke and saw the petitioner in the room of her minor  
daughter and the petitioner after seeing her, fled away after  
climbing the wall.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in this case due to enmity. It has been further submitted that prior to this occurrence an FIR was lodged by his mother against the informant being Rupauli P.S Case No. 60 of 2017 instituted under Sections 147, 149, 341, 323, 379 and 504 of the Indian Penal Code and the present case is counter version of the said case. Petitioner has got no criminal antecedent and is in custody since 17.07.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon 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-1st-cum-Special Judge (POCSO), Purnea** in connection with **Spl. Case No. 58 of 2017 arising out of Rupauli P.S. Case No. 161 of 2017.**

(S. Kumar, J)

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