

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8874 of 2018

Arising Out of PS. Case No.-69 Year-2017 Thana- MAHILA P.S. District- Araria

Surendra Sah, Son of Triveni Sah, Resident of Village-Kaushkaur North Ward
NO. 6, P.S.-Raniganj, District-Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. NAND KUMAR

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Special (POCSO) Case No. 40 of 2017 (Araria Mahila
P.S. Case No. 69 of 2017), registered under Section 376 and
313 of the Indian Penal Code and Section 3/4 of the POCSO
Act.

The accusation is of committing rape by the
petitioner upon the informant.

Learned counsel for the petitioner submits that, in
fact, due to grudge, the petitioner has falsely been implicated in
this case by the informant, but latter on in the statement of the
informant recorded under Section 164 of Cr.P.C. she denied



about committing rape by this petitioner upon her, which would appear from Annexure-2 to this petition.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-I-cum-Special Judge (POCSO) Act, Araria in connection with Special (POCSO) Case No. 40 of 2017 (Araria P.S. Case No. 69 of 2017), subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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