

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58614 of 2018

Arising Out of PS. Case No.-106 Year-2018 Thana- PALIGANJ District- Patna

Sanjay Pandit S/o Late Raju Pandit, R/o Vill.- Beri, P.S.- Bikram, District- Patna. At present- Sikariya, P.S.- Paliganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lal Babu Singh

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 31-10-2018 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in Paliganj P. S. Case No. 106/18 instituted for the offence under Section(s) 376 of the Indian Penal Code and Section 6 of POCSO Act.

Learned counsel for the petitioner has submitted that occurrence is said to have been taken place on 02.04. 2018 and F.I.R. has been lodged on 9.4.2018. The victim has been examined on 10.4.2018 and the doctor has found no mark of violence on her private part.

Learned counsel for the petitioner has submitted that petitioner has been implicated in the instant case due to



business dispute between the parties.

In the written report, it is alleged that petitioner dragged the informant inside his room and committed rape with her. The mother of the informant has seen the occurrence. The victim girl has given her statement U/s 164 Cr.P.C. which is annexed as Annexure-2, wherein, she has supported the case. But, in the Medical Report the doctor has found no mark of violence on her private part. There is delay of seven days in lodging of the F.I.R. There is no valid explanation for the aforesaid delay.

Considering the aforesaid, let the petitioner, above named, be released on bail 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 1st or Spl. Judge POCSO Act, Patna in connection with Paliganj P. S. Case No. 106/18, Spl. case no 59 of 2018 subject to the condition that both the bailers shall be the close relative of the petitioner.

(Sanjay Priya, J)

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