

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52108 of 2018

Arising Out of PS.Case No. -148 Year- 2017 Thana -MAHILA P.S District- SUPAUL

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Laxaman Sada S/o Late Nathuni Sada, R/o Vill.- Chaugara, P.S.- Supaul,
District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Murlidhar APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-10-2018 Heard learned counsel for petitioner and learned A.P.P.

for the State.

Petitioner seeks bail in P.O.C.S.O Case No. 26/2017
arising out of Mahila P.S. Case No. 148/2017, registered for the
offences punishable under Section 376(D) and 506 of the Indian
Penal Code.

Allegation against petitioner and other co-accused is that
they committed rape with the informant.

It has been submitted that petitioner has falsely been
implicated in this case. The present case has been committed to
the court of Additional District & Sessions Judge I, Supaul and the
informant has given her deposition as witness no. 1. In her
statement, she has stated that on the alleged date of occurrence she



went to the field of petitioner for cutting grass due to which petitioner came, abused and assaulted her. Thereafter, petitioner went back his home. Santosh and Birbal committed rape with her.

Petitioner has no criminal antecedent. He is in custody since 26.09.2017.

Considering the facts aforesaid, the petitioner above-named, is directed to 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 Additional District & Sessions Judge I, Supaul in connection with P.O.C.S.O Case No. 26/2017 arising out of Mahila P.S. Case No. 148/2017, subject to the conditions:

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bonds.
- (3.) If the petitioner tampers with the evidence



or the witnesses of the case, in that case,
prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(S. Kumar, J)

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