

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56185 of 2018

Arising Out of PS. Case No.-80 Year-2018 Thana- EKMA District- Saran

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Sukeshwar Ojha, S/o Late Vidya Ojha, Resident of Kurji, P.S.- Digha, Dist- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nitu Kumari, D/o Banmali Ojha, of Vill- Devadhiya, P.S.- Ekma, Dist- Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Advocate

For the Opposite Party/s : Mr. Arbind Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 30-11-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341/342/323/376G/34 of the Indian Penal Code and Section 4 of the POCSO Act.

The perusal of the FIR would reveal that the allegation of commission of rape against the informant is against co-accused Sonu Tiwari and Dheeraj Ojha. The statement of the informant further discloses that she followed them to different places, which creates doubt that she was not a consenting party. The petitioner is father of co-accused Sanjay Ojha. Nothing specific is alleged against the petitioner. Petitioner



is aged about 76 years.

Considering the aforesaid fact, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with Ekma Police Station Case No.80 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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