

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62350 of 2018

Arising Out of PS. Case No.-13 Year-2018 Thana- MAHILA PS District- Gopalganj

Bhim Thakur, S/o Suresh Thakur, R/o Vill.- Shukdeo Patti, P.S.- Gopalpur,
District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar, Advocate

For the Opposite Party/s : Smt. Gulnar Begam, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-11-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Gopalganj Mahila P.S.
Case No. 13 of 2018, instituted for the offences under Sections
376, (2)/34 of the Indian Penal Code and Sections 3,6,8 and 17
of POCSO Act.

It has been submitted that petitioner has falsely been
implicated in this case due to land dispute. This fact also find
mentioned in paragraph 48 of the case diary.

Learned counsel for the petitioner submits that no
time of occurrence has been stated in the FIR. The occurrence is
said to have taken place on 16.03.2018 and FIR has been lodged
on 18.03.2018 after delay of two days without any explanation
of such delay. The victim was medically examined on



19.03.2018. The doctor has found no injury of sexual assault on private part.

In the written report, the informant has alleged that while she was returning to her house after appearing in the examination, Sangita Kumari took her in her house and locked the room from outside. The petitioner was present in the room and committed rape with her. The doctor has found no injury of sexual assault on her private part.

Considering the aforesaid fact and circumstances, prayer of the petitioner for grant of bail is allowed. 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 learned Additional District & Sessions Judge, 1st Gopalganj, in connection with Gopalganj Mahila P.S. Case No. 13 of 2018. Both the bailors will be close relative of petitioner.

(Sanjay Priya, J)

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