

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5694 of 2019

Arising Out of PS. Case No.-81 Year-2018 Thana- MAHILA P.S. District- Bhojpur

Sanjay Sah, Son of Dashrath Sah, resident of Village Marchaiya, P.S.-
Karmanepur, District, Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajendra Singh

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 13-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 376(2)(i)/376(d) of the Indian Penal Code and Section 4/6 of the POCSO Act.

Informant has alleged that petitioner has established physical relation with her on the pretext of marriage but, subsequently, he denied marriage.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case due to village politics. It has further been submitted that victim of this case has made her statement before the police as well as in the



F.I.R which does not tally with each other. Similarly placed co-accused has already been granted bail by this Court vide order dated 24.09.2018 passed in Cr. Misc. No.43487 of 2018. Petitioner has no criminal antecedent and he is in custody since 08.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Bhojpur Mahila P.S. Case No. 81/18 with following 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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