

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6325 of 2019

Arising Out of PS. Case No.-1065 Year-2018 Thana- SITAMARHI District- Sitamarhi

Sayidur Rahman @ Pappu @ Md. Sayitur Rahman @ Pappu, aged about 20 years (male), son of Late Abdul Latif @ Latif Bijli Mistry R/o Mehsaul East , WArD no. 7, P.S. and Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is languishing in custody since 21.11.2018 in a case registered for the offence punishable under Sections 376/511 of the Indian Penal Code and Sections 8/12 of the Protection of Children from Sexual Offences Act, 2012.

The prosecution case got initiated on the basis of written report dated 20.01.2018 submitted by Md. Nasibul to the Station House Officer, Mehsaul (O.P.) Police Station is to the effect that on 18.11.2018, the petitioner entered into the house of the informant and tried to ravish the informant's daughter. On alarm being raised, the nearby people came, then



the petitioner escaped from the scene. It is further alleged when the informant went to the house of the petitioner and explained about the conduct of the petitioner to her mother, then she tried to justify the conduct of the petitioner.

It is submitted by learned counsel for the petitioner that for the occurrence of 18.11.2018, the written report was submitted on 20.11.2018 and the FIR was registered on 21.11.2018. It is further submitted that there is no medical examination of the victim to corroborate the accusation and at earlier point of time, the mother of the petitioner lodged Sitamarhi (Mehsaul) P.S. Case No.1076 of 2018 with accusation under Sections 341/448/323/504/506/354/379/34 of the I.P.C. against the informant and other. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the petitioner is sole accused and the accusation is specific against him.

Considering the delayed lodging of the case, the accusation not being corroborated by the medical opinion and a case lodged by the mother of the petitioner against the informant and others, at earlier point of time, coupled with statement made in paragraph no.3 of the petition that the



petitioner is not having any criminal antecedent, let the above named petitioner 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 learned ADJ-I, Sitamarhi, in connection with Sitamarhi (Mehsaul) P.S. Case No.1065 of 2018.

(Dinesh Kumar Singh, J)

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