

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13407 of 2019

Arising Out of PS. Case No.-134 Year-2018 Thana- MAHISHI District- Saharsa

Binod Paswan Son of Sheevan Paswan R/o village- Majrahi, P.S- Mahishi
(Jalai), District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Section 376 of the Indian Penal Code and Section 8 of POCSO
Act.

Allegation is that the petitioner on false pretext of
marriage, committed rape upon the victim.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 1.6.2018 and has got no
criminal antecedent. Charge sheet has been submitted in the
case. There is no allegation of tampering of witnesses alleged
against the petitioner. Petitioner has falsely been implicated in
the present case. On pretext of marriage, the petitioner
established physical relationship with the victim. The said



relationship was not accepted by the petitioner. Later on the petitioner refused to marry the victim. Hence the present case has been instituted. As per the medical report, there is no sign of rape.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-cum-Additional Sessions Judge-1 at Saharsa in connection with POCSO case No.25 of 2018 corresponding to Mahishi (Jalai) P.S. case No.134 of 2018.

(Sudhir Singh, J)

Narendra/-

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