

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11316 of 2019**

Arising Out of PS. Case No.-356 Year-2018 Thana- GAYA MUFASIL District- Gaya

Sanjay Kumar Son of Kameshwar Yadav Resident of Village- Bahora Bigha,
P.S.- Mufassil, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Satyendra Narayan Singh

**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 Sections 376(3), 376(DA), 354(D)(II), 341, 342, 323, 452/34 of the Indian Penal Code as well as Section 6 of POCSO Act and Sections 67, 67(A), 67(B) of Information Technology Act, 2008.

Allegation is that the accused persons committed rape upon the victim.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.10.2018 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. As per F.I.R., the main allegation has been



made against the co-accused Guddu, Srichand and Ranjeet, who are said to have committed rape upon the victim. The victim was examined under Section 164 Cr.P.C. No allegation of commission of rape is alleged against the petitioner. In the medication examination, no positive sign of rape has been found.

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 A.D.J. 1st-cum-Special Judge (POSCO Act), Gaya in connection with Mufassil P.S. case No.356 of 2018.

(Sudhir Singh, J)

Narendra/-

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