IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24185 of 2019

Arising Out of PS. Case No.-222 Year-2018 Thana- BARURAJ District- Muzaffarpur

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DHARMENDRA RAI, Son of Ram Dayal Rai, Resident of Village and P.O.- Chaurghatta, P.S.- Baruraj, Distt- Muzaffarpur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate
For the Opposite Party/s : Mr. Raj Kishore Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4/ 08-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in **Baruraj P.S. Case No.222 of 2018** instituted for the offence under Section(s) 376 Indian Penal Code and Section 4/6 of the POCSO Act.

Counsel for the petitioner submits that First Information Report has been lodged by father of the victim girl alleging that his eight year old daughter was taken by this petitioner in his house and thereafter he has committed rape with her. Victim has given statement under Section 164 Cr.P.C., which has been enclosed as Annexure-4, wherein, she has stated that this petitioner did not commit any illegal act with her.

Counsel for the petitioner submits that instant case has been filed due to family dispute. Both parties are on litigating

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terms. Uncle of the petitioner, Mahendra Rai, has filed a case vide Baruraj P.S. Case No.122 of 2011 against the informant's uncle and his family members and the case was found true after investigation. It is further submitted that other litigations are also pending between the parties

Petitioner is in custody since 18.10.2018.

In the facts and circumstances of the case, 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 **ADJ 1st cum Spl. Judge, POCSO, Muzaffarpur,** in connection with **Baruraj P.S. Case No.222 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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