

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17779 of 2019

Arising Out of PS. Case No.-90 Year-2018 Thana- MAHILA P.S. District- Araria

MD. SINTU, Male, aged about 29 years, Son of Md. Ayesh, Resident of village-Bangatna, P.S-Araria, District-Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Gopal Kumar Jha, Advocate.
For the Opposite Party : Mr.Surendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 23.10.2018 in a case for the offence registered under Sections 376/34 of the IPC and 3/4of the POCSO Act.

The prosecution story, in brief, is that on 29.08.2018 at 9.00 P.M., the informant had gone to attend the call of nature, in the meantime, the petitioner caught her from behind and gagged the mouth and dragged in the paddy field by lifting on his shoulder and committed forcibly rape upon her. On alarm, some persons came there and then the accused fled away. On 30.08.18, the father and some persons went to the house of the accused and asked about the occurrence from the father of the petitioner upon which the father of the accused and Kalu started



abusing the father of the informant and threatened to kill.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no medical examination report in the case diary. For oblique reason, the petitioner has been made accused in the present case.

On behalf of the learned counsel for the State, it has been 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 the learned Additional Sessions Judge-cum-Special Judge, Araria, in connection with Araria (Mahila) P.S. Case No. 90 of 2018.

(Sudhir Singh, J)

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