

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23632 of 2019

Arising Out of PS. Case No.-317 Year-2018 Thana- JAYNAGAR District- Madhubani

SANJAY KUMAR SHARMA Son of Ram Awtar Sharma Resident of Village-
Kalambari Mathiya, P.S-Basopatti, District-Madhubani. Petitioner/s
Versus

The State of Bihar Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha
For the Opposite Party/s : Mr.Satyavrat Verma

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Jaynagar P.S. Case No. 317 of 2018, G.R. No. 1192 of 2018
registered under Sections 376 of the Indian Penal Code.

The accusation is that when the informant Radha
Kumari, aged about 19 years, was gutting grass in the field at
about 11 a.m. on 14.06.2018, the petitioner reached there and
committed rape upon her. On alarm being raised, co-villagers,
namely, Abhilash Chandra Yadav, Lalit Thakur, Devendra Yadav
along with others came there. After seeing the villagers,
petitioner started fleeing away but he was apprehended and a
Panchayati was held in which petitioner flatly refused the
proposal of marriage with the victim girl. Then the villagers



handed over him to the police and an FIR has been got registered.

The learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely been implicated in this case with an ulterior motive to give pressure upon the petitioner to perform marriage with the said girl. Further submission is that after investigation, charge-sheet under Sections 354(B) and 12 of the POCSO Act has been submitted against the petitioner and cognizance has already been taken under the aforesaid sections. Petitioner has got no criminal antecedent and is in custody since 15.06.2018.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, Madhubani in connection with Jaynagar P.S. Case No. 317/18, G.R. No. 1192 of 2018.

(Rajendra Kumar Mishra, J)

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