

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78287 of 2018**

Arising Out of PS. Case No.-240 Year-2018 Thana- BELAGANJ District- Gaya

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Dhananjay Kumar S/O- Mundrika Singh, Resident of village- Nandu Bigha,  
P.S.- Belaganj, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ravindra Kumar Sinha  
For the Opposite Party/s : Mr.Sri Anant Kumar

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

4      26-02-2019                      Heard learned counsel for the parties.

Petitioner seeks bail in **Belaganj P.S. Case No. 240 of 2018** registered for the offence punishable under Section 376 (d) of the Indian Penal Code and under Section 4 of the POCSO Act.

Informant who is the victim girl has alleged in his written complaint that on 5.08.2018 at about 7:00 P.M. when she was returning after tying her cattle, petitioner along with one Nitish Kumar committed rape upon her and threatened her to not disclose the same.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to



land dispute and village politics. The victim girl was medically examined and no sign of any of recent sexual intercourse was found. The alleged incident is of 05.08.2018 but FIR was instituted on 12.08.2018 after delay of one week. Petitioner has got no criminal antecedent and is in custody since 13.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Sessions Judge-1st- cum- Special Judge (POCSO Act), Gaya**, in connection with **Belaganj P.S. Case No. 240 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the



evidence or the witnesses of the case, in that case,  
prosecution will be at liberty to move for  
cancellation of bail of the petitioner.

**(S. Kumar, J)**

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