

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22503 of 2019

Arising Out of PS. Case No.-309 Year-2017 Thana- BAHADURPUR District- Darbhanga

SUSHIL SADAY Son of Mahendra Saday Resident of Village- Dekuli Chatti,
P.S.- Bahadurpur (O.P. Sonki), District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhusudan Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Section 376/34 of the Indian Penal Code and 4 and 6 of POCSO Act.

Prosecution allegation, in short, is that the accused persons forcibly caught hold of the sister of the informant and committed rape on her.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.8.2017 and has got no criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to previous



enmity. The medical report does not support the allegation made in the F.I.R. There is no sign of rape found in course of medical examination.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 1st Additional Sessions Judge -cum- Special Judge, (POCSO Act), Darbhanga in connection with Bahadurpur P.S. Case No. 309/2017, G.R. No. 27/17.

(Sudhir Singh, J)

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