

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22769 of 2019

Arising Out of PS. Case No.-335 Year-2018 Thana- BHARGAMA District- Araria

CHANDAN KUMAR Son of Madan Lal Mehta Resident of Village -
Vishahariyapatti, Tonha, Ward No.- 02, P.S.- Bhargama, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Kumar Mehta
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-05-2019 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 of the Indian Penal Code and 3 and 4 of POCSO Act.

The prosecution case in short is that while the informant was along with her grand daughter, the accused person forcibly took her and committed illicit act with her.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.12.2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. As per medical examination



report, no positive sign of rape has been found. The petitioner has been made accused due to oblique reasons.

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 learned 1st Additional Sessions Judge-cum- Special Judge, Araria in connection with Special (POCSO) Case No. 60/2018 arising out of Bhargama P.S. Case No. 335 of 2018.

(Sudhir Singh, J)

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