

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26466 of 2019

Arising Out of PS. Case No.-16 Year-2018 Thana- MAHILA PS District- Jehanabad

RAJESH KUMAR Son of Surendra Singh @ Surendra Prasad Singh Resident
of Village - Kramchand Bigha @ Bhikhanpur Dhewai, P.S.- Mehandia, Distt.-
Arwal at Present in the indian Army in Punjab.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiw Kumar Prabhakar
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 10-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Arwal Mahila P.S. Case No. 16 of 2018 registered under
Section 376 of the Indian Penal Code and section 4 of the
POCSO Act.

Learned counsel appearing on behalf of the
petitioner submits that petitioner has no criminal antecedent. He
is innocent and has falsely been implicated in the present case
due to ulterior motive. Further submission is that it would
appear from the first information report itself that there was no
question of taking away the informant forcibly and committing
rape by the petitioner. Further submission is that on perusal of



Annexures-2 and 3, it appears that petitioner is an Army Personnel. At the relevant time, he was out of State for training, so there is no chance of committing the alleged offence or any mischief.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-I, Jehanabad in connection with Arwal Mahila P.S. Case No. 16 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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