

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32090 of 2019

Arising Out of PS. Case No.-63 Year-2018 Thana- PHULPARAS District- Madhubani

RAKESH KUMAR RAY Son of Mahendra Rai Resident of Village -
Khargama, P.S.- Phulparas, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Karna

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 14-05-2019 Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in **Phulparas P.S. Case No. 63 of 2018**, instituted for the offence under Section(s) 363, 366, 376 of the Indian Penal Code and Section 3/4 of POCSO Act.

It is alleged in the written report that on 20.4.2018 at about 9:00 p.m. the daughter of informant who is student of Class-VII was kidnapped by the petitioner. She was recovered from Muzaffarpur Railway Station. She alleged that petitioner had tortured her sexually since last six months.

Counsel for the petitioner submits that petitioner has been falsely implicated in the case. The victim girl has given statement under Section 164 Cr. P.C. from which it appears that she was known to the petitioner. She had gone with him



voluntarily. On the date of occurrence while she had gone out of her house to give fodder to buffalo she was taken by the petitioner.

The victim girl has been medically examined. The medical report has been enclosed as Annexure-5 wherein the Doctor has found her age as 15 years. The Doctor has not found any evidence of rape during physical and pathological examination of the victim girl. No external or internal injury was found over the body of victim girl.

Petitioner is in custody since 7.2.2019 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned 1st Additional Sessions Judge, Madhubani**, in connection with **Phulparas P.S. Case No. 63 of 2018**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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