

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30304 of 2019

Arising Out of PS. Case No.-8 Year-2019 Thana- MAHILA PS District- Jehanabad

Satendra Bind (M), aged about 26 years, Son of Jagdish Bind, Resident of Village Bishu Bigha, P.S. Okari, O.P. (Ghoshi), District Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lovekush Kumar, Advocate

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-07-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Jehanabad Mahila P.S. Case No. 08 of 2019 registered under Section 376 of the Indian Penal Code and 4 of POCSO Act.

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

The F.I.R. is registered on the written report of the informant Ramesh Bind alleging therein that in the evening of 05.03.2019, his daughter cum victim aged about 13 years went to fetch water from nearby hand pump. After one hour, she came back crying stating that this accused forcibly committed rape upon her. The F.I.R. was lodged on 06.03.2019 at about 2.30 P.M. In 164 Cr.P.C. statement, she has categorically stated about forcible rape committed by the petitioner. However, the medial report shows that from about facts and reports it may be concluded that there is no sign of recent sexual assault but



possibility of rape cannot be ruled out. The petitioner has no criminal antecedent.

In the facts and circumstances of the case, 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 A.D.J.I, Jehanabad in connection with Jehanabad P.S. Case No. 08 of 2019, subject to the following conditions :

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) The petitioner will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Anjani Kumar Sharan, J)

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