

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31474 of 2019

Arising Out of PS. Case No.-4 Year-2018 Thana- MAHILA P.S. District- Sheohar

MD. NAUSHAD RAY @ MD. NAUSHAD Son of Meraj Ray Resident of
Village - Basahiya, P.S.- Piprahi, Dist.- Sheohar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-08-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Sheohar Mahila P. S.
Case No. 4 of 2018 instituted for the offence under Section
376(D) of the Indian Penal Code and Sections 4 and 6 of the
POCSO Act.

It is alleged in the written report that this petitioner
along with co-accused Md. Afroj Ray committed rape with
informant. The informant has been medically examined. The
report of Medical Board has been annexed as Annexure-2,
wherein, the doctor did not find any injury over her face, throat,
breast, abdomen, thigh and other parts of the body and no any
spermatozoa was found.

Learned counsel for petitioner submits that as per



prosecution case the alleged time of occurrence is in between 4 PM to 7 PM. The informant did not raise any alarm during this period. The other co-accused of this case has already been granted regular bail by co-ordinate Bench of this Court vide order passed in Cr. Misc. no. 10585 of 2019.

The petitioner is in custody since 22.3.2018.

Considering the aforesaid, 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 the 1st Additional District and Sessions Judge-cum-Special Judge, Sheohar, in connection with Sheohar Mahila P. S. Case No. 4 of 2018, Tr. no. 13 of 2018, G.R. No.188 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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