

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33368 of 2019

Arising Out of PS. Case No.-89 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

Jitendra Kushwaha, aged about 32 years (Male), Son of Late Haridwar Singh,
Resident of Village - Narayan Dih, P.S.- Dehri- District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-09-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 370 (3), 376/34 of the Indian Penal Code and Section 3/4/5 of the Immoral Traffic Act and Section 4 of the POCSO Act.

The prosecution case is that the informant's daughter Puja Kumari was residing at maternal uncle home (Sasural of the informant). It is alleged that on 16.03.2019 when his daughter came out from school at about 12.00 PM meantime one Golu Singh forcibly took her on his bike and taking her went Maa Tarachandi Hotel and committed rape later on dropped her in unconscious position near highway, however, when Puja Kumari regained consciousness came home and



revealed story and informant went in hotel to gather information and came to know about petitioner who is owner of the Hotel.

Learned counsel for the petitioner submits that it is clear from order sheet that the victim has made statement under Section 164 of the Cr. P.C. but she has not said about involvement of petitioner, the grievance of the informant is that without verifying identity of accused the room was provided. The petitioner is owner of the hotel and it is run by the staff of the hotel, the petitioner has been put behind bar only because he happens to owner otherwise there is no allegation of rape or misbehave. It is case of love affairs between Puja Kumari and Golu Singh, the petitioner is not concerned with affairs of both persons.

It has been further submits on behalf of the petitioner that the petitioner is in custody since 21.03.2019 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned



1st Addl. Sessions Judge, Sasaram at Rohtas, in connection with
POCSO Case No. 22 of 2019 (arising out of Sasaram
(Muffassil) P.S. Case No. 89 of 2019.

(Anjani Kumar Sharan, J)

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