

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35859 of 2019

Arising Out of PS. Case No.-11 Year-2016 Thana- MAHILA P.S. District- Kishanganj

Sanjay Kumar Harijan Son of Ritu Lal Harijan @ Rit Lal Harijan Resident of
Dhangara, P.S.- Kodhobari, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 28-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 08.02.2017 has
filed the instant application for grant of bail in connection with
Kishanganj Mahila P.S. Case as No. 11 of 2016 registered for
the offence punishable under sections 366, 376 and 34 of the
Indian Penal.

As per the allegation in the FIR, the mother of the
petitioner is said to have forcibly taken the informant to her
house where her son i.e. the petitioner is said to have committed
rape on her.

It is submitted by learned counsel for the petitioner
that the allegations are false, concocted and absurd. The mother
of the petitioner has been enlarged on anticipatory bail by order
dated 28.03.2019 (Annexure 2) passed in Cr. Misc. No. 15809



of 2019. Even as per the medical examination, it is submitted that the doctors were of the opinion that there was no evidence of recent sexual intercourse. The petitioner is in custody since 08.02.2017.

The application for bail has been opposed by the learned APP for the State.

Having heard learned counsel for the parties and taking into consideration that the petitioner is in custody since 08.02.2017 and that the mother of the petitioner having been granted anticipatory bail, the Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge 1st cum-Special Judge, Kishanganj in connection with Kishanganj Mahila P.S. Case No. 11 of 2016 (S.Tr. No. 49 of 2019).

(Partha Sarthy, J)

Prakash/-

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