

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38213 of 2019

Arising Out of PS. Case No.-42 Year-2017 Thana- KARANDAY District- Sheikhpura

Sumit Kumar @ Lato Kumar S/o Late Chhotu Mahto R/o Village- Sijhaudi,
P.S.- Karandey, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Satyavrat Verma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under Sections 376/34 of the Indian Penal Code and Section-8 of the POCSO Act and learned Judge has taken cognizance under Section 376 of the Indian Penal Code and Section-4 of the POCSO Act.

Allegation against the petitioner is of committing rape upon the victim/informant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 30-05-2019. The petitioner has been falsely implicated in the present case. The police after



investigation, submitted final form. The court below differed with the said police report and took cognizance. The medical report also does not support the allegation made in the FIR.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Ist Additional District & Sessions Judge, Sheikhpura in connection with POCSO Case No. 47 of 2017 arising out of Karanday P.S. Case No. 42 of 2017.

(Sudhir Singh, J)

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