

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48424 of 2019**

Arising Out of PS. Case No.-13 Year-2019 Thana- MAHILA P.S. District- Bhagalpur

Sandeep Mandal @ Sandeep Kumar Son of Bablu Mandal Resident of village- Chai Tola, Police Station- Kurshela, District- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Bharat Bhushan

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      07-08-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in a case initially registered under Sections 376, 506 of the Indian Penal Code and Sections-4 & 12 of the POCSO Act.

Allegedly, while in the evening, the informant went to attend call of nature, the petitioner caught hold and committed rape with her.

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 16-05-2019. Charge sheet has already been submitted. The petitioner has been falsely implicated in the present case. Prior to institution of the present



case, a case was instituted vide Annexure-2 to this application by father of the petitioner against uncle of the informant. The present case has been instituted only with intention to compel the petitioner not to pursue the case, instituted by father of the petitioner vide Annexure-2 to this application. The medical report of the doctor does not support the allegations 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 Additional District & Sessions Judge-Ist-cum-Special Judge (POCSO Act), Bhagalpur, in connection with Mahila P.S. Naugachia (District Bhagalpur) Case No. 13 of 2019.

**(Sudhir Singh, J)**

A.K.V.//-

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