

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46923 of 2019

Arising Out of P.S. Case No.-61 Year-2019 Thana- RAFIGANJ District- Aurangabad

Sanjay Ray, aged about 27 years, Gender-Male, Son of Prithvi Ray @ Prithvi Rai Resident of Village - Bair, P.S.- Rafiganj, District- Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bhaskar Shankar, Advocate
For the Opposite Party : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-10-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor and perused the case diary.

The petitioner is in custody in connection with Rafiganj P.S.Case No.61 of 2019 registered for an offence under Section 376 of the Indian Penal Code and Section 4 of the POCSO Act.

In view of the deposition of the victim girl wherein she has specifically stated that her parents have litigating terms with this petitioner as a result of which her mother got this false case filed against this petitioner. It is further submitted that as per the medical report, the doctor does not find any physical assault on the body of the victim girl. It is further submitted that petitioner is in custody since 28.02.2019, having clean antecedent and chargesheet has already been submitted.



Considering the aforesaid facts that the doctor has completely denied the commission of rape and also that the petitioner is in custody since more than seven months, let the above named petitioner 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 learned Special Judge, POCSO Act, Aurangabad in connection with Rafiganj P.S.Case No.61 of 2019 with following conditions:-

(i) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

B.Kr./-

U		T	
---	--	---	--

