

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48448 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- NAYAGAON District- Saran

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Rakesh Kumar Rai @ Yogi Rai Son of Surendra Rai @ Sundar Ray Resident
of Village- Chaturpur, P.S.- Naya Gaon, District- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Najmul Hoda
For the Opposite Party/s : Mr.Md. Aslam Ansari

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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 registered under
Section 376 of the Indian Penal Code and Sections-4/6 of the
POCSO Act.

Allegation against the petitioner is of committing illegal
act with daughter of the informant enticing her by giving
chocolate.

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 25-03-2019. Charge sheet has
already been submitted. The petitioner has been falsely
implicated in the present case due to previous enmity. The



medical examination report (Annexure-2) does not support the allegation made in the FIR. No sign of rape was found on the part of the victim.

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), Saran at Chapra, in connection with Naya Gaon P.S. Case No. 40 of 2019.

(Sudhir Singh, J)

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