

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.57803 of 2019

Arising Out of PS. Case No.-388 Year-2018 Thana- CHAPRA TOWN District- Saran

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KUMARI SAROJ W/o Sumant Mishra R/o village- Prabhunath Nagar, P.S.-
Chapra Muffasil, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Roy

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 17-10-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 15.07.2018 in
connection with Chapra Town P.S. Case No. 388 of 2018 for the
offence registered under Sections 376 (c) 201, 315 and 120(B)



of the Indian Penal Code and later on Section 4/6 of the POCSO Act added.

Learned counsel for the petitioner submits that the allegation of rape is against one Pandit Jee and the only allegation that has been framed against the petitioner is that she had not reported the matter to the higher authorities, though the victim girl had informed about the same.

Learned counsel for the petitioner has filed a supplementary affidavit stating that apart from the present petitioner, there were three other women staffs in the premises where the alleged act of rape is said to have been committed and the petitioner is never present during the night time. He has submitted that only the night guard and the lady peon and cook are present and it cannot be said with precession that it was the present petitioner, who has been informed regarding the rape. Learned counsel for the petitioner further submits that in view of the period of custody, the petitioner may be extended the privilege of bail.

Considering the aforesaid facts and circumstances of the case and the period of custody, let the petitioner, above named, 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 Additional Sessions Judge 1 cum-
Special Judge, POCSO, Saran at Chapra in connection with
Chapra Town P.S. Case No. 388 of 2018 corresponding to
POCSO Case No. 49 of 2018.

(Anjana Mishra, J)

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