

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62414 of 2019

Arising Out of PS. Case No.-124 Year-2019 Thana- FATEHPUR District- Gaya

SINTU MANJHI Son of Masudan Manjhi Resident of Village - Pakri, P.O.-
and P.S.- Fatehpur, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Onkar Nath

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Section 376(A)(B) of the Indian Penal Code and
6 of POCSO Act.

The prosecution allegation in short is that the accused
persons carried away the daughter of the informant and
committed rape with her.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 28.5.2019 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge-sheet has been
submitted in the present case. The petitioner is not named in
the F.I.R. The name of the petitioner has transpired on the basis



of confessional statement of co-accused. On recovery, the statement of the victim has been recorded under Section 164 Cr.P.C. in which she has not named the petitioner. The name of the petitioner has transpired in the present case due to enmity with the co-accused who has tried to falsely implicate the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R..

Considering the aforesaid facts and circumstances, it is directed that 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 Court of a.D.J.-1st-cum- Special Judge, POCSO Act,, Gaya in connection with Fatehpur P.S. Case No. 124/19 corresponding to POCSO Case No. 52/19.

(Sudhir Singh, J)

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