

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63818 of 2019**

Arising Out of PS. Case No.-14 Year-2019 Thana- MAHILA PS District- Jehanabad

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RAMA KANT KUMAR @ BOSS @ RAMAKANT SHARMA S/o Siyaram
Sharma R/o village- Mirzapur, P.S.- Sakurabad, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Sections 376(D) of the Indian Penal Code and Section 4
of POCSO Act.

Informant in his written complaint has alleged that
his daughter Rakhi Kumari aged about 19 years had gone to the
matrimonial home of his another daughter. In the night of
16.03.2019 at 8:00 PM his daughters went to see Yagya and on
returning alone his daughter Rakhi Kumari was forcibly taken
by the petitioner and two other co-accused in the cabin situated
in the field and co-accused Avinash Kumar committed rape
upon her and petitioner was standing on the gate of the cabin.

It has been submitted on behalf of petitioner that



petitioner is innocent and has been falsely implicated in this case due to bad village politics. The medical evidence does not support any sexual assault on the victim. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Jehanabad Mahila Police Station Case No. 14 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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