

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4346 of 2020**

Arising Out of PS. Case No.-158 Year-2019 Thana- DIGHWARA District- Saran

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ABHITAJ KUMAR @ AMITAZ KUMAR Son of Kangress Mahto @
Kangress Singh Resident of Village- Bhagwanpur, P.S.- Derni, District- Saran
at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 09-09-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 341, 323, 376, 506/34 of the Indian
Penal Code and 4 of POCSO Act.

The prosecution allegation, in short, is that the
accused person took away the informant from her house and
established physical relation with her on the assurance of the
marriage but later denied.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.09.2019 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 has falsely been implicated in the present case. The victim has been examined by the Medical Board in which no sign of rape is found. The age of the victim girl is said to be between 18-19 years.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances and medical report of the victim, 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 1st Additional Sessions Judge-cum-Special Judge, Chapra, Saran in connection with Dighwara P.S. Case No. 158/2019.

(Sudhir Singh, J)

Pankaj/-

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