

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5965 of 2020

Arising Out of PS. Case No.-234 Year-2019 Thana- MASAUDHI District- Patna

SANJAY PRASAD @ SANJAY KUMAR Son of Judagi Prasad @ Late
Judagir Prasad Resident of Village-Maya Bigha Masaurhi, P.S.-Masaurhi,
District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satrudhan Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 08-06-2020 Heard learned counsel for the petitioner and learned
learned Additional Public Prosecutor for the State.

The petitioner is in custody in connection with
Masaurhi P.S. Case No. 234 of 2019/ Special Case No. 55 of
2019 for the offenses under Sections 147, 149, 448, 379, 341,
323 376D, 302 of the Indian Penal Code and Section 6 of the
POCSO Act.

Learned counsel for the petitioner would submit that
petitioner has no criminal antecedent. The FIR was lodged at the
instance of the informant making allegation that the petitioner
and others have committed rape and thereafter killed the
daughter of the informant. The petitioner is in custody since
6.12.2019. From perusal of the post mortem report and other



medical report, it appears that allegation of rape is not supported by medical evidence. The allegation of killing is also under doubt in view of the finding of the doctor after post mortem. The materials on record would suggest that the dead body was recovered after breaking the door and the victim was found hanging in ceiling.

Considering the totality of the facts and circumstances discussed hereinabove,, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/-/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the ADJ-1-cum- Special Judge, POCSO, Patna in connection with Masaurhi P.S. Case No. 234 of 2019/Special Case No. 55 of 2019.

(Anil Kumar Upadhyay, J)

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