

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9182 of 2020

Arising Out of PS. Case No.-417 Year-2019 Thana- LAHERIMUHALLA District- Nalanda

RAHUL KUMAR @ PREM SINGH @ SUNIL KUMAR Son of Dinesh Prasad @ Dinesh Kumar Resident of Village- Balbaper, P.S.- Nardiganj, District- Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samir Kumar Sinha

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-03-2020 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 376 of the Indian Penal Code and 4 of POCSO Act.

Allegation is that the petitioner established physical relationship with the victim.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.10.2019 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The victim has been examined under Section 164 of Cr.P.C., where she has denied the allegations of any sexual assault by the petitioner, rather the case has been



instituted under the mistake of fact. The medical examination report also does not support the allegations made in the F.I.R.

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

\Considering the aforesaid facts and circumstances, let 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 Additional District and Sessions Judge I-cum-Special Judge (POCSO Act), Nalanda at Biharsharif in connection with Laheri P.S. case No.417 of 2019, G.R. No.5637 of 2019.

(Sudhir Singh, J)

Narendra/-

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