

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13520 of 2020

Arising Out of PS. Case No.-111 Year-2019 Thana- GAMAHARIYA District- Madhepura

Nandan Kumar Son of Dinesh Yadav Resident of Village- Chandanpatti Tola,
Ward No. 10, P.S.- Gamharia, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mausam Kumari Daughter of Ram Chandra Sah Resident of Village-
Chandanpatti, P.S.- Gamharia, District- Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh
For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-03-2020 Heard learned counsel for the petitioner and
learned A.P.P for the State.

The petitioner apprehends his arrest in **Gamhariya**
P.S. Case No. 111 of 2019 Complaint (POCSO) Case No.
2C/2019, registered for the offence punishable under Sections
341, 323, 376, 504, 506 and 379 of the Indian Penal Code and
section 6 of the POCSO Act.

It is alleged that petitioner committed rape upon the
informant on the pretext of marriage and also kidnapped her.

It is submitted that petitioner has falsely been
implicated in this case. The complainant earlier filed complaint
case no. 20 of 2019 under Sections 341, 323, 376, 504, 506 and
379 of the IPC and section 6 of the POCSO Act before



Additional District and Sessions Judge Ist, Madhepura on 31.05.2019 and the copy of which has been forwarded to SHO Gamharia P.S. under Section 156(3) Cr.PC with direction to institute FIR by Special Judge POCSO Act, Madhepura and thereafter, the present case has been lodged. Moreover, the victim in her statement under Section 164 Cr.P.C, has nowhere taken the name of this petitioner and she has stated that out of anger, she had gone to Nani Ghar.

Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Additional District and Sessions Judge Ist-cum-Special Judge, POCSO Act, Madhepura** in connection with **Gamharia P.S. Case No. 111 of 2019 POCSO, Complaint (POCSO) Case No. 2C/2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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