

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14374 of 2020

Arising Out of PS. Case No.-95 Year-2019 Thana- MAHILA PS District- Darbhanga

SAJID, aged about 20 years (Male), S/O Shahid @ Mohammad Shahid,
Resident of Vill - Manihas, P.S. - Simri, Dist. - Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Kedar Jha, Advocate.
For the Opposite Party : Mr.Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 376 of the IPC and 4/6 of POCSO Act.

The prosecution story, in brief, is that on 15.11.2019
at 20.30 hours in night, the minor daughter of the informant,
disappeared from her house all of sudden. She started hectic
search and during search far away 500 meter to her house, she
found that her daughter was coming in naked condition. When
she inquired then she told her in weeping condition that her
villager Sajid (petitioner) took her in Bamboo groves in lieu of
seen video game. It is further alleged that after undressed her
jeans pant, shirt, Md. Sajid (petitioner) committed rape with her.
Due to fear, she raised hulla, upon which, he pressed her neck. It
is alleged by the informant that she alongwith her relative took



her daughter to D.M.C.H. for treatment.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 17.11.2019. The petitioner has got no criminal antecedent. He has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The medical examination report is Annexure-2 to the present application. The medical examination report of the victim does not support the allegation 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 the learned Ist Additional Sessions Judge-cum-Special Judge (POCSO Act), Darbhanga, in connection with POSCO G.R. Case No. 58 of 2019, arising out of Mahila P.S. Case No. 95 of 2019.

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(Sudhir Singh, J)

