

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16042 of 2020

Arising Out of PS. Case No.-136 Year-2019 Thana- SABAUR District- Bhagalpur

SANJU DAS, Son of Bhola Das Resident of Village- Bishanpur Jichho, P.S.-
Lodipur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-06-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with
Sabour P.S. Case No. 136 of 2019, registered under Section
376(D) of the Indian Penal Code and Section 3/4 of the
POCSO Act.

The accusation is that before 10-15 days, the
informant along with her mother had gone for collecting fire
wood in the field, while her mother proceeded from there, but
she stayed there for collecting wood. In the meantime, four
persons named in the F.I.R., including the petitioner, came
there. At that time, Vicky Das caught hold her hand and
carried her near the orchard, where all committed rape upon
the informant giving threatening to kill her and at that time



they also took her nude photograph.

Learned counsel for the petitioner submits that, in fact, petitioner and others are co-villagers of the informant and due to dirty village politics, the petitioner and others have been implicated in this case by lodging the present case regarding the incident of 15 days earlier. Further submission is that co-accused Suraj Das @ Suraj Kumar Das has already allowed privilege of bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No. 68280 of 2019 on 18.12.2019. The petitioner has no criminal antecedent and he is in custody since 23.12.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-I-cum-Special Judge (POCSO Act), Bhagalpur in connection with Sabour P.S. Case No. 136 of 2019.

(Rajendra Kumar Mishra, J)

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