

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16841 of 2020

Arising Out of PS. Case No.-287 Year-2018 Thana- KASBA District- Purnia

MD. AKHTAR @ AKHTAR S/o Mohiuddin Resident of Village- Pakaria,
P.S.- Kasba, Distt- Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Mallick

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 02-06-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under Sections
147, 341, 323, 354, 376, 379, 504, 506 of the Indian Penal Code and
Section-18 of the POCSO Act.

Allegedly, while the informant was going to take paddy from
the house of Md. Manjoor, in the way the petitioner caught hold of
the informant and forcibly, committed rape upon her.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
is in custody since 09-01-2020. Charge sheet has already been



submitted. The petitioner has been falsely implicated in the present case. The medical examination report of the victim is Annexure-2 to the present application. As per medical examination report of the Medical Officer, no sign of rape is said to have been found on the part of the victim. The medical report does not support the allegation made in the FIR.

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

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Kasba P.S. Case No. 287 of 2018.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

