

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29756 of 2020

Arising Out of PS. Case No.-182 Year-2020 Thana- MASAUDHI District- Patna

AMIT SAO Son of Jagdish Sao Resident of Village - Etwarpur, P.S. - Parsa
Bazar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 10-11-2020 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.

Learned counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks
after restoration of normalcy.

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

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

Prosecution case as per the written complaint of the
informant is that the accused petitioner forcibly committed rape
with her minor daughter aged about 15 years.



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 14-03-2020. Charge sheet/Prosecution report in this case has already been submitted. The statement of the victim has been recorded under Section 164 Cr.P.C., wherein she has not supported the allegation of commission of rape. The said statement is Annexure-2 to the present application.

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, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-Ist-cum-Special Judge, POCSO Act, Patna in connection with Special Case No. 60 of 2020 arising out of Masaurhi P.S. Case No. 182 of 2020.

(Sudhir Singh, J)

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