

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29863 of 2020

Arising Out of PS. Case No.-29 Year-2020 Thana- MAHILA P.S. District- Kaimur (Bhabua)

SANDEEP MAURYA Son of Madan Singh Resident of Village - Bichhiya,
P.S. - Durgawati, Dist. - Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1

For the Opposite Party/s : Mr.Shyam Kr. Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-11-2020 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 defects, as pointed out by the office, within a period
of four weeks from the date of restoration of normalcy.

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

The petitioner seeks bail in a case instituted for the
offences under Sections 342, 363, 376, 120(B), 506 of the
Indian Penal Code and 4 of POCSO Act.

Prosecution case, in short, is that the petitioner took
the victim and kept her in a room and co-accused Kalam Ali



committed rape upon her.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.06.2020 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. The main allegation of commission of rape is alleged against the co-accused, namely, Kalam Ali. Counsel for the petitioner further points out that there was vast contradiction of the statement of the victim made in the F.I.R. and statement made under Section 164 of Cr.P.C. by her, where the manner of occurrence itself does not corroborate with each other, rather the victim has tried to develop the case while making her statement under Section 164 of Cr.P.C. with an intention to falsely implicate the petitioner in the present case.

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 Additional District and Sessions Judge 1st-cum-Special Judge, Kaimur at Bhabua



in connection with POSCO case No.20 of 2020 arising out of
Mahila Bhabua P.S. case No.29 of 2020.

(Sudhir Singh, J)

Narendra/-

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