

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60118 of 2019**

Arising Out of PS. Case No.-82 Year-2017 Thana- MAHILA PS District- Jehanabad

VISHUNI BIND, aged about 78 years, (Male) Son of Late Gaju Bind,  
Resident of Village- Kurua, P.S.- Okari O.P. (Ghosi), District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Ansar Ul Haque APP)

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

4      10-01-2020                      Heard learned counsel for petitioner and learned  
counsel for the State.

Petitioner, who is in custody, seeks bail in a case  
registered for the offences punishable under Sections 376, 51,  
341, 323/34 of the Indian Penal Code and Section 8 POCSO  
Act.

Informant has alleged that on 08.10.2017 at about  
4:00 P.M., when his 5 years daughter had gone to cut grass, she  
and her husband were not present and taking advantage of such  
situation Vishnu Bind (petitioner) took the victim in his lap and  
went near khanda and undressed her and tried to commit rape  
upon her but upon raising alarm nearby villager assembled and  
rescued her daughter and when she and her husband returned  
they disclosed the incident to them and when they went to the



house of accused they were assaulted and confined for two days and as such they lodged FIR after three days and there is no need of any medical examination of victim.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case due to animosity and village rivalry. Petitioner is 77 years old and is in custody since 30.01.2019 having no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. 1<sup>st</sup>, Jehanabad, in connection with Jehanabad Mahila P.S. Case No. 82 of 2017, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(S. Kumar, J)**

Rajiv/-

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