

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70412 of 2019

Arising Out of PS. Case No.-261 Year-2019 Thana- RAJAOLI District- Nawada

=====

Mudit Kumar Sinha @ Gunjan Son of Murli Manohar Prasad Resident of
Village - Dhanwara, P.S.- Akbarpur, District- Nawada.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

=====

Appearance :

For the Petitioner	:	Mr. Anshu Dhar Sharma, Advocate. Mr. R. Griyaghey, Advocate.
For the State	:	Mr. A.M.P. Mehta, A.P.P.
For the Informant	:	Mr. Jogendra Prasad, Advocate.

=====

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

ORAL ORDER

3 27-02-2020 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

informant.

The petitioner seeks bail in connection with Rajauli
P.S. Case No.261 of 2019/POCSO Case No.38 of 2019
registered under Sections 363 and 376 of the Indian Penal Code
besides Sections 8/12 of the POCSO Act.

The accusation is that the daughter of the informant
Surendar Yadav, aged about 15 years, used to reside at the house
of her 'Phua' in village-Simarkoal to study and she also used to
go to coaching. On 20.07.2019, when the daughter of the
informant was returning from her coaching centre, at that time,



Mudit Kumar Sinha (petitioner), the co-villager of the informant, forcibly got her boarded on the motorcycle and carried her into a forest for committing rape. In the evening, the informant received information from Mobile No.6205294722 to the effect that his daughter has been admitted at Sadar Hospital, Kodarma, in an unconscious stage. Thereafter, the informant went there and saw his daughter in an unconscious stage sustaining injury.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the daughter of the informant and the petitioner moved from the house, boarding on motorcycle, but, unfortunately, they met an accident and both were taken to the hospital in injured condition, which would appear from paragraph-5 of the case diary. In medical examination, the age of the daughter has been assessed about 18 years. While the daughter of the informant, in her statement recorded under Section 161 of the Code of Criminal Procedure, has stated that she was taken away by the petitioner forcibly but she has not made any complaint against him. Further submission is that the petitioner and the informant are co-villagers. The petitioner has no criminal antecedent and is in custody since 22.07.2019. On investigation, the police has already submitted the charge-sheet



against the petitioner.

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 1st Additional Sessions Judge-cum-Special Judge, Nawadah, in connection with Rajauli P.S. Case No.261 of 2019/POCSO Act Case No.38 of 2019.

(Rajendra Kumar Mishra, J)

P.S./-

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

