

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74834 of 2019

Arising Out of PS. Case No.-273 Year-2019 Thana- RAMKRISHNANAGAR District- Patna

PANKAJ KUMAR @ ADITYA PRAKASH S/o Sri Brajeshwar Rai R/o village- Bhadwash, P.S.- Mahua, Distt.- Vaishali, at present tenant in the house of Krishan Deo Prasad Singh, R/m- Shubhash Nagar, Khemnichak, P.S.- Ram Krishna Naar, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha
For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Sections 363, 376, 120(B) of the Indian Penal Code and Section-4 of the POCSO Act and Sections 3(r)(s)(w)(i)(ii), 3(2)(v)(a) of the SC/ST Act.

Prosecution case in short is that at night, while the informant was returning her home after discharging her duty, the petitioner in the way, dragged her in the vehicle and she was carried to Sonapur. It is further alleged that he petitioner committed illegal act with 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 18-04-2019. Charge sheet has already been submitted. The petitioner has been falsely implicated in the present case. As per medical examination report of the victim, no mark of rape was found. The allegation made in the FIR is not supported by the medical examination report. It has further been submitted that the victim has been made accused in another case which relates to Immoral Traffic Act.

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, 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 learned Additional Sessions Judge-Ist-cum-Special Judge, POCSO Act, Patna in connection with Special Case No. 73 of 2019 arising out of Ram Krishna Nagar P.S. Case No. 273 of 2019.

(Sudhir Singh, J)

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