

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82854 of 2019

Arising Out of PS. Case No.-522 Year-2019 Thana- BANKA District- Banka

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PARDASHI DAS @ PARDESHI DAS @ PRADESHI KUMAR DAS Son of
Newaji Das Resident of Village - Bijaynagar, P.S. and Distt - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 04-06-2020 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.

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

The petitioner seeks bail in a case instituted for the
offences under section 376/34 of the Indian Penal Code and section 4
of POCSO Act.

The prosecution allegation, in short, is that rape was
committed on the minor daughter of the informant by the accused
person when she went to the house of the accused person to bring a
bowl (katora).

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 26.8.2019 and has got no criminal



antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. The victim was examined by the Medical Board. No spermatozoa is said to have been found. The medical examination report of the victim does not support the allegation made in the F.I.R.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, is directed to be released on bail on his personal bond to the satisfaction of learned Additional Sessions Judge-1-cum- Special Judge, Banka in connection with Banka P.S. Case No. 522/2019 (G.R. No. 104/19).

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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