

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81688 of 2019

Arising Out of PS. Case No.-69 Year-2019 Thana- AGRER District- Rohtas

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Rahul Singh @ Rahul Kumar Singh, Son of Ram Narayan Singh Resident of
Village-Khudunu, P.S.-Agrer, District-Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi, Advocate.

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha, APP

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

ORAL ORDER

5 03-07-2020 Heard Mr. V.M.K. Sinha, Advocate, assisted by Mr.

Manish Chandara Gandhi, learned counsel for the petitioner and
the learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with POCSO Case No. 75 of 2019 arising out of Agrer P.S. Case
No. 69 of 2019, registered under Sections 147, 148, 149, 341,
323, 354, 354(B), 427 and 452 of the Indian Penal Code and
Section 12 of the POCSO Act.

The accusation is that at about 10.00 P.M., on
31.07.2019, Suraj Singh, Rahul Singh (petitioner) and Chandan
Singh along with 8 to 9 unknown variously armed with weapons
came at the house of the informant, Maya Kumari, aged about
17 years, and tried to kidnap her and made attempt to murder of



her family. At that time, she was laid down on the ground forcibly and attempt to commit the rape was made, in which, her cloths was torn. In the meantime, Suran Singh put the leg at her stomach and thereafter, petitioner and Chandan Singh caused injury through fist and slaps at her private part and made attempt to take her but her family members made protest then all moved from there.

Learned counsel for the petitioner submits that, in fact, Bijay Kumar Singh, father of the informant of the present case, had lodged Agrer P.S. Case No. 612 of 2018 on 19.09.2018 regarding kidnapping of his daughter (informant of the present case) and statement, informant of the present case, was recorded under Section 164 Cr.P.C., in which, she had stated that she had love affairs with Pappu Kumar but her family members wanted to perform her marriage with another place due to that reason, she left her house with Raju at Ludhiyana and performed the court marriage and after knowing about the case, she returned at her house and at that time, informant of the present case had disclosed her age as 17 years. Thereafter, Panchayati was arranged to compromise the said case and in which the petitioner and other accused were present but Bijay Kumar Singh, father of the informant was not ready and only to



give undue pressure, informant managed to lodge the present case with false allegation. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned 1st Additional Sessions Judge, Rohtas, Sasaram, in connection with POCSO Case No. 75 of 2019 arising out of Agrer P.S. Case No. 69 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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