

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11132 of 2020

Arising Out of PS. Case No.-36 Year-2020 Thana- MANER District- Patna

Sanjit Kumar, male, aged about 22 years, Son of Keshav Ray @ Kesho Prasad Ray, Resident of Village - Munji Tola, P.S. - Maner, Distt. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 13-09-2021 Heard Mr. Rahul Kumar, the learned Advocate for the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Special Case No. 22 of 2020 arising out of Maner P.S. Case No. 36 of 2020, dated 23.01.2020, instituted for the offences under Section 376 of the Indian Penal Code and Sections 4 & 8 of the Protection of Children from Sexual Offences Act, 2012.

It has been alleged in the F.I.R. that the petitioner committed rape on the prosecutrix.

However, the prosecutrix has given her statement



under Section 164 Cr.P.C., in which, she has stated that the petitioner only abused her in the field. Because of old enmity of the petitioner's family with her family, she was advised by her parents to file the present case.

Considering the aforesaid statement of the victim girl under Section 164 Cr.P.C., the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge-Cum-Special Judge, POCSO Act, Patna in connection with Special Case No. 22 of 2020 arising out of Maner P.S. Case No. 36 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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