

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16390 of 2020

Arising Out of PS. Case No.-364 Year-2018 Thana- MASHRAK District- Saran

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MONU KHAN S/o Raji Khan Resident of Village- Sonauli, P.S.- Mashrakh,
Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh
For the Opposite Party/s : Mr.Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 376(G) of the Indian Penal Code and Sections 3, 4 of POCSO Act.

Allegation is that the accused persons including the petitioner committed rape on the victim.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. From perusal of the report of the Medical Board, which is Annexure 2 to the present application, it appears that the age of the victim is said to be 18-19 years. Hence no offence under the POCSO Act is attracted in the present case. Further as



per the medical examination report, there is no sign of rape found on the victim.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge/Special Judge, POCSO Act, Saran, Chapra in connection with Mashrakh P.S. case No.364 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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