

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30873 of 2020

Arising Out of PS. Case No.-60 Year-2019 Thana- PURUSHOTTAMPUR District- West
Champaran

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MUKESH KUMAR, Son of Gaya Mahto, Resident of Village - Marjadwa,
Police Station - Purushottampur, District - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Shiv Kumar Dwivedy, Advocate.
For the Opposite Party : Mrs. Pronati Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-01-2021 Learned counsel for the petitioner is directed to

remove the defect(s), as pointed out by the office within a

period of four weeks.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 376 of the I.P.C. and 4/6 of the
POCSO Act.

The prosecution story, in brief, is that on 21.07.2019
the petitioner entered into the house of the victim and forcibly
established physical relationship with her.

It has been submitted by learned counsel for the
petitioner that the petitioner is in custody since 21.07.2019. The



petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner has remained in custody for approximately 1 ½ years. The medical examination report of the victim does not support the allegation made in the F.I.R. Hence, allegation made in the F.I.R. appears to be doubtful.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Ist Additional Sessions Judge-cum-Special Judge, POCSO Act, Bettiah, West Champaran, in connection with Purushottampur P.S. Case No. 60/19.

(Sudhir Singh, J)

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