

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33259 of 2020

Arising Out of PS. Case No.-2 Year-2020 Thana- DURGAWATI District- Kaimur (Bhabua)

HARICHANDRA RAM S/O Dular Ram R/O Village Kanpur, P.S. Durgawati,
District Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2021 Heard learned counsel for the petitioner and learned APP for
the State.

Learned counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in a case registered
under Sections 341, 366A, 342, 354(B), 376/34 of the Indian Penal
Code and 4 & 10 of POCSO Act.

The prosecution story in brief is that on the alleged date of
occurrence, the daughter of the informant went to attend the call of
nature but did not return till 8 P.M. After returning, she informed that
she was kidnapped by the petitioner along with one Jamidar Ram.
She was taken to another village and was raped.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner



has been made accused in the present case due to mistake of fact. The victim has filed an affidavit vide Annexure-2 to the present application in the court below wherein she states that she has solemnized marriage with the petitioner and is living with him.

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

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of learned Additional District & Sessions Judge-Ist-cum-Special Judge, Kaimur at Bhabua in connection with Durgawati P.S. Case No. 02 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

