

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21929 of 2021

Arising Out of PS. Case No.-55 Year-2020 Thana- PUNAURA District- Sitamarhi

Umashankar Rai @ Umashankar Kumar Son of Guderai Rai Resident of
Village - Ranjitpur West, Police Station - Punaura, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mrs. Madhubala Verma, Advocate
For the Opposite Party	:	Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 20-01-2022 Heard learned senior counsel for the petitioner and
learned APP for the State.

The petitioner apprehends his arrest in connection with Punaura P.S. Case No.55 of 2020 registered for offences under Sections 363, 365, 376 and 302/34 of the Indian Penal Code and Sections 4/6 of the Protection of Children from Sexual Offences Act, 2012.

In the FIR there is allegation of rape against the petitioner and thereafter murdering the girl but from the confessional statement of one co-accused Manoj Kumar it appears that the girl was in love with Manoj Kumar and they met in the night each other who had sex. Thereafter the girl left the house when the family members started searching for her.



From post mortem report it is not clear that any rape was committed upon the girl and therefore, the petitioner cannot be sent jail merely on suspicion as there may be false implication of the petitioner.

Considering the aforesaid facts, the application for anticipatory bail is allowed.

Accordingly, let petitioner, above-named, in the event of his arrest or surrender within ten weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI, Sitamarhi in connection with Punaura P.S. Case No.55 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sandeep Kumar, J)

BT/-

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

