

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16250 of 2022

Arising Out of PS. Case No.-496 Year-2021 Thana- KOILWAR District- Bhojpur

SONU BIND @ SONU LAL S/o Bhagwan Das Bind R/o Village-
Dharampur, P.S.- Koilwar, District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-11-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 376 and some other ancillary Sections of the Indian Penal Code and u/s 6/7/8 of the POCSO Act.

As per the prosecution case, while the victim had gone to attend the call of nature, this petitioner forcefully closed her mouth, torn her leggings, raped her and threatened her not to disclose the ordeal to her family members.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is submitted that prior to lodging the present case the complainant had made complaint to SP, Bhojpur but on enquiry the allegation was found to be untrue. There is delay of three



months in lodging the case. The victim during the investigation did not support the allegation of sexual assault against this petitioner. Petitioner is own cousin (brother) of victim and she has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-V, Bhojpur, Ara in connection with Koilwar PS case No. 496/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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