

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53454 of 2021

Arising Out of PS. Case No.-76 Year-2021 Thana- SURYAPUR District- Rohtas

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SRIKANT PANDEY @ RISHIKANT PANDEY SON OF LALAN PANDEY
@ SIYARAMAN PANDEY R/O VILLAGE- KHARAJ, P.S.- SURAJPURA,
DISTRICT- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh
For the Opposite Party/s : Mr.Binay Krishna
For the Informant : Mr. Krishna Kant Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-01-2022 Heard learned counsel for the petitioner, the State and
the informant.

The matter has been taken up through video
conferencing.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 376, 302, 201 of the
Indian Penal Code, u/s 4 of POCSO Act and u/s 3(2) (v)/ 3(i)
(w) (ii) of SC/ST Act.

As per the prosecution case, the informant suspects
that this petitioner committed rape with his daughter and killed
her. It is further alleged that this petitioner earlier used to harass
his daughter when she used to go to tuition.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case only on suspicion. There is no direct or indirect material
against this petitioner to show his complicity in the aforesaid
crime and only material material that has come during the



course of investigation against this petitioner that he was seen moving around the place of occurrence on the day of occurrence. It is further submitted that the doctor has found no sign of rape and cause of death could not be ascertained. Petitioner is in custody since 22.06.2021 and investigation in this case is complete.

Learned counsel appearing for the State and the informant opposed the prayer for bail and submitted that petitioner has got criminal antecedent of similar nature and during the course of investigation it has come that petitioner was seen moving around the place of occurrence on the day of occurrence.

Considering the facts of the case, the period of custody of the petitioner and the fact that except suspicion there is no material against this petitioner, let the petitioner, above named, be released 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-VII-cum-Special Judge, POCSO Act, Rohtas at Sasaram in connection with Suryapura PS case No.76/2021.

(Prabhat Kumar Singh, J)

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