

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48160 of 2022

Arising Out of PS. Case No.-14 Year-2020 Thana- MAHILA PS District- Katihar

RAJENDRA RAJAK @ RAJA S/O DILIP RAJAK Resident of Dwashaya,
P.S.- Dandkhora, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 02-11-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has renewed his prayer for grant of bail in
a case registered under sections 376, 323, 506 and 34 of the
Indian Penal Code and section 4 of the POCSO Act.

The earlier application for bail of the petitioner was
rejected vide order dated 16.11.2021 passed in Cr. Misc.
no.19102 of 2021.

As per the prosecution case, the petitioner is said to have
committed rape on the minor informant.

It is submitted by learned counsel for the petitioner that
the petitioner has been falsely implicated in the case. Relying on
the deposition of the alleged victim in course of trial, deposition
of whom has been brought as Annexure-5 to the petition, it is



submitted that the said victim has not supported the prosecution case and has been declared hostile. In her deposition she identified the petitioner and categorically stated that the allegations were false. The petitioner is in custody since 14.3.2020 and undertakes to cooperate in the trial.

Having heard learned counsel for the parties and taking into consideration the case against the petitioner specially the contents of the deposition of the victim in course of trial which is Annexure-5 to the petition together with the petitioner having remained in custody since 14.3.2020, the petitioner is directed to be enlarged on bail in connection with Mahila P.S. Case no. 14 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VI cum Special Judge, Katihar on the following conditions:

(i) One of the bailors of the petitioner shall be his father.

(ii) The petitioner shall remain physically present on each date of the trial and shall cooperate in the trial.

(Partha Sarthy, J)

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