

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17281 of 2022**

Arising Out of PS. Case No.-43 Year-2021 Thana- MAHILA P.S. District- Kaimur (Bhabua)

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Surendra Turiya Son Of Ramdewari Turiya Resident Of Village - Saraki, P.S.
- Adhaura, District - Kaimur At Bhabua.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey
For the Opposite Party/s : Mr. Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 02-01-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody since
19.01.2022 in a case registered for the offences
punishable under Sections 323, 376 of the Indian Penal
Code and Section 4 of the POCSO Act.

It is a case of commission of rape by the
petitioner upon the informant.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely



been implicated in this case. It is further submitted that sister-in-law of the petitioner has lodged a case against the brother of the informant under Sections 363/376 of the Indian Penal Code. Hence, in order to put pressure upon the petitioner's side this false case has been registered against the petitioner. During investigation, the case was not found true against the petitioner and final form was submitted and petitioner was not sent up for trial but differing with the final form, cognizance has been taken against the petitioner. There is no evidence that petitioner has raped the informant. The petitioner is in custody since 19.01.2022.

Considering the facts stated above and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Kaimur at Bhabhua in connection with POCSO Case No.



27 of 2021, arising out of Mahila (Bhabua) P.S. Case
No. 43 of 2021.

(Sunil Kumar Panwar, J)

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