

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54869 of 2022

Arising Out of PS. Case No.-84 Year-2021 Thana- CHORAUT District- Sitamarhi

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DILIP MANDAL S/O TALEWAR MANDAL Resident of village- Choraut
Uttari Ward No- 7, P.S.- Choraut, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Garg

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 03-02-2023 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Choraut P.S. Case No. 84 of 2021, registered for the offences
punishable under Sections 420, 376/34 of the Indian Penal Code
and 4 POSCO Act though the court below has taken cognizance
under Sections 420, 376/34 of the Indian Penal Code and
Sections 4, 6 and 8 of the POCSO Act.

The learned counsel for the petitioner has submitted
that the victim herself stated that co-accused Gulab Sah has
committed rape upon her. She only alleged in her statement that
this petitioner whispered something in the ears of co-accused
Gulab Sah. The complicity of the petitioner was not found true



and final form was submitted against him.

On the other hand, the learned counsel for the informant and the APP have submitted that the regular bail of Gulab Sah has been rejected by this Court.

The victim did not mention any evil act against the petitioner in her statement under Section 164 of the Code of Criminal Procedure. The investigating authorities have submitted final form and the petitioner is a person of clean antecedent.

Considering the above-mentioned facts and circumstances, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VI Sitamarhi in connection with Choraut P.S. Case No. 84 of 2021, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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