

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11675 of 2015

Arising Out of PS.Case No. -25 Year- 2013 Thana -JAMOBABAZAR District- SIWAN

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Arbind Sah @ Arbind S/o Dina Sah @ Dina Nath Sah Resident of
Bhadurpur P.S. Jamo Bazar Dist - Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Madhuri Lata, AOR No. 03490

For the Opposite Party/s : Mr. Rajendra Prasad Nat,APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 29-06-2015 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody since 20.03.2013 in
connection with Jamo Bazar P.S. Case No. 25 of 2013, POCSO
Trial No. 28 of 2015 for the alleged offences under Sections
363, 373, 376, 511 IPC and Sections 4 and 18 of the POCSO Act.

3. It is submitted that the petitioner has been
falsely implicated only on the basis of Timal Sah and Pintu Sah
had seen the petitioner carrying away the informant's minor
daughter who however, themselves have reciled from their
stand in course of their deposition before the Court and as
such the very foundation for the accusation against the
petitioner is falsified. The petitioner claims clean antecedents.

4. It is further submitted that the accusation relating to attempt to rape under the POCSO Act has been later added and in fact no rape was committed as evident from the medical report of the so-called victim girl.

5. Having regard to the entirety of the facts and circumstances, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned A.D.J.I-cum-Special Judge, POCSO Act, Siwan in connection with Jamo Bazar P.S. Case No. 25 of 2013, POCSO Trial No. 28 of 2015 with the condition that the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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