

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16444 of 2015

Arising Out of PS.Case No. -173 Year- 2014 Thana -SULTANGANJ District- BHAGALPUR

1. Prem Yadav Son of Dinesh Yadav Resident of Village - Jahangira, P.S.
Sultanganj, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr. Sadanand Paswan (Spl.App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 10-06-2015 Heard learned counsel for the petitioner and the A.P.P.
for the State.

The petitioner seeks bail in connection with Sultanganj
P.S. Case No. 173/14 for the offences punishable under sections

376, 511 of the Indian Penal Code and section 8 of POCSO Act, and section 3(i)(xi) of S.C./S.T.(P.O.A.) Act.

The prosecution case, in brief, is that on 2-8-2014 the daughter of the informant, namely, Sulfi Kumari, aged about 9 years along with her sister Raj Kumari aged about 4 years and Ruchi Kumari aged about 5 years and one Fool Kumari aged about 4 years were going through the orchard, the petitioner caught hold of his daughter, closed her mouth and with bad intention began to remove her pant on which the three children started crying and raised hulla on which the nearby persons assembled and the petitioner fled away.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and he is in custody since 11-8-2014. It is further submitted that the present case has been brought against him out of village politics, as the petitioner had made no such attempt to rape.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case, let the petitioner Prem Yadav 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 1st Additional Sessions

Judge-cum-Special Judge, Bhagalpur, in Sessions Trial No.
779/14(arising out of Sultangaj P.S. Case No. 173/14/G.R. No.
2883/14).

(Sudhir Singh, J)

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