

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7476 of 2015

Arising Out of PS.Case No. -360 Year- 2013 Thana -BIDUPUR District- VAISHALI (HAJIPUR)

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Anil Rai S/o Chanarik Rai Resident of Village Khapura, P.S. Bidupur,
District Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.PP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 21-04-2015

Heard both sides.

The petitioner seeks bail in a case under Section 376,
302 and other sections of the Indian Penal Code, Sections 4 and 6
of the POCSO Act and Section 3(2)(v) of the SC/ST Act.

The informant alleged that her daughter Gunja
Kumari had gone to the shop of Sita Devi to purchase incense
sticks but she did not return and she was missing. Her dead body
was recovered in a Chaur. The informant suspected that the
petitioner and other accused persons might have committed rape
and killed her daughter. It is submitted that there is no eye witness
of the occurrence and the case is based only on suspicion. Sita
Devi has already been enlarged on bail vide order passed in Cr.
Misc. No. 12627/2014.

Learned Sessions Judge has referred Paras 12, 13,

14, 15 of the case diary, but it appears that they are hearsay witnesses and nobody has seen the occurrence with their own eyes.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction the learned Special Judge (POCSO Act)-cum-Addl. Sessions Judge-I, Vaishali at Hajipur in Bidupur P.S. Case No. 360/2013.

(Prabhat Kumar Jha, J)

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