

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38039 of 2015

Arising out of PS.Case No. -333 Year- 2015 Thana -BETTIAH TOWN District- WEST
CHAMPARAN(BETTIAH)

Lalu @ James Lawrence, S/o Lawrence @ Lawrence Pandit, resident of
Mohalla Christian Quarter, Ward No. 8, P.S. Bettiah Town, District West
Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party : Mr. Sanjay Kumar Pandey(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 30.05.2015
in connection with Bettiah Town P.S. Case No. 333 of 2015 for
the offences instituted under Sections 376/511 of the IPC. and 8 of
the POCSO Act.

The prosecution story, in brief, is that on 30.05.2015 at
about 8.45 A.M., while the informant was at his grocery shop at
some distance of his house, he heard hulla, whereupon he ran and
found that a person had taken his grand-daughter Nidhi Kumari
aged about 7 years to his house for the purpose of committing rape

on her, though local people let her free from his captivity. On query, his grand-daughter Nidhi Kumari disclosed that the said person was touching her breast and tried to do wrong deed, but in the meantime, he was apprehended, and on query, he disclosed his name as Lalu, the petitioner. On information, the police patrolling party arrived and then the petitioner was handed over to the police.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 30.05.2015 and the charge sheet has been submitted in the case. As per prosecution case, it is alleged that the petitioner attempted to commit rape. The petitioner is aged about 81 years and has falsely been implicated in the present case. It is further submitted that the petitioner may be released after completion of six months in custody from 30.05.2015.

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

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named may be released on bail after completion of six months in custody from 30.05.2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, under POCSO

Act, West Champaran, Bettiah, in connection with Bettiah Town
P.S. Case No. 333 of 2015.

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(Sudhir Singh, J)

