

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25060 of 2015

Arising Out of PS.Case No. -41 Year- 2013 Thana -TANDWA District- AURANGABAD

1. Dilip Mushar son of Krishna Mushar Resident of village - Kormathu,
P.O. Aamas, Police Station - Aamas, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh, Advocate

For the Opposite Party/s : Mr. M.K.Khare(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-07-2015 Heard learned counsel for the petitioner and
learned A.P.P. appearing for the State

The petitioner is in custody in a case registered
under Section 395 of the Indian Penal Code.

The prosecution case, in brief, is that in the night
of 07.08.2013 six persons has entered into the house of the
informant through the main door variously armed. The
miscreants kept the family members of the informant locked
and committed dacoity. Initially a case under Section 395 of
the Indian Penal Code was registered, but later it was found
that the dacoits committed rape on Shobha Kumari, aged
about 13 years and hence charge sheet under Section 395,
376 and 4/8 of the POCSO Act was submitted.

It is submitted on behalf of the petitioner that the

petitioner is in custody since 20.08.2013 and charge sheet has been submitted in this case. It is further submitted that the petitioner is not named in the FIR and nor there is recovery of any incriminating articles from the possession of the petitioner. It is further submitted that the petitioner has got no criminal antecedents.

On behalf of the State it has been submitted that there is not a single identification in course of T.I.P.

Considering the aforesaid 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 the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, in connection with Tandwa P.S. Case No. 41 of 2013.

(Sudhir Singh, J)

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