

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6095 of 2016

Arising Out of PS.Case No. -441 Year- 2013 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Bagar Sahani Son of Ram Baran Sahani, Resident of Village- Jhakhia,
Police Station- Banjariya (Turkauliya), District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Ram Anurag Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 10-02-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with POCSO
Case No. 4 of 2015 arising out of Turkaulia P.S. Case No. 441 of
of 2013 registered for the offences punishable under Sections 363,
376(G), 120 (B)/34 of the Indian Penal Code and Section 6 of the
POCSO Act.

The petitioner wants to renew the prayer of bail
which was earlier thrice rejected in the light of observation made
in the order dated 14.10.2015 and order dated 10.12.2014 passed
in Criminal Misc. No. 46275 of 2015 and 48685 of 2015 on the
ground that now the victim and the informant both have already
been examined, the petitioner is suffering in custody since
17.8.2013, now there is no chance of tampering with prosecution
evidence and as such the petitioner deserves sympathetic

consideration as in near future the trial is not likely to be concluded to which learned A.P.P. fairly submits that now after examination of victim girl and the informant there is no chance of tampering with prosecution evidence.

In the facts and circumstance stated above, considering the period of detention of the petitioner and earlier observation, now the petitioner is directed to be released on bail on execution of 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, East Champaran, Motihari, in connection with POCSO Case No. 04 of 2015 arising out of Turkaulia P.S. Case No. 441 of 2013 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

siddharth/-

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