

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46436 of 2015

Arising Out of PS.Case No. -18 Year- 2015 Thana -KOCH District- GAYA

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1. Rahul Kumar S/o Anil Sharma Resident of Village Dadreji, P.S. Konch,
District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Lakshmi Kant Sharma

For the Opposite Party/s Mr. Sanjay Kr.Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

07/ 07.04.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections
292A, 376, 420, 341, 342, 506/34 of the Indian Penal Code as well as
section 4 of the POCSO Act and section 66 of E.I.T Act.

Petitioner is said to have established physical relation with
the informant giving allurements to her and subsequently, took naked
photographs and also got prepared obscene video of the informant.
Further, it is alleged that the petitioner threatened the victim showing
photographs of obscene video.

Learned counsel for the petitioner submits that the story, as
propounded by the prosecution, is completely false and concocted
and, as a matter of fact, informant wanted to marry with the petitioner
but when the petitioner refused to marry, informant lodged this false

case and so far as seizure of photographs and obscene video are concerned, the same were produced by the informant herself. It is further pointed out on behalf of the petitioner that in course of trial, parents of the informant denied the entire prosecution case and moreover, petitioner is in jail custody since 20.5.2015 and there is nothing on the record to show that release of the petitioner shall lead to his abscond from the proceeding.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of the statements of the parents of the informant recorded in course of trial as well as the period of detention of the petitioner in jail custody, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge I-cum- Special Judge, POCSO Act, Gaya in Konch P.S. Case no. 18/2015 arising out of POCSO case no.18/2015.

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(Hemant Kumar Srivastava,J)

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