

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32108 of 2016

Arising Out of PS.Case No. -206 Year- 2015 Thana -ISHAKCHAK District- BHAGALPUR

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Amar Kumar Son of Late Shahdeo Roy R/o Mohalla- Vyayamshala,
Ishakchak, near Bounsi, Railway Line, P.S.- Ishakchak, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Section 376 of the Indian Penal Code and 3 (b) (c) and 4 of the POSCO Act.

Allegation against the petitioner is that he took daughter of the informant in a room, open her pant and put his finger in the private part of her body.

It has been submitted on behalf of the petitioner that he is in custody since 7.1.2016. Chargesheet has been submitted against the petitioner. No allegation of tampering of witnesses is alleged against the petitioner. Petitioner has falsely been implicated in the present case. There is a contradiction between the statements made under Sections 161 Cr. P.C. and 164 Cr. P.C. by the victim. Due to village politics petitioner has falsely been implicated in the present case. It is further submitted that petitioner may be released after completion of one year in custody, i.e., from 7.1.2016.

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

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail after completion of one year in custody, i.e., from 7.1.2016 on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned 1st Addl. District and Sessions Judge, Bhagalpur, in connection with Ishakchak P.S. Case no. 206 of 2015 (G.R. no. 4831 of 2015).

(Sudhir Singh, J)

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