

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48010 of 2016

Arising Out of PS.Case No. -51 Year- 2016 Thana -BALIA District- BEGUSARAI

=====

Ajay Yadav S/o Sagar Yadav resident of Village- Dumariya Tola,
Habechak, P.S.- Sahebpur Kamal, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abul Kalam

For the Opposite Party/s : Mr. Sri Akbar Ali

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 24-11-2016 Heard the counsel for the petitioner and Mr. Akbar Ali,

APP for the State.

The petitioner prays for bail in Ballia P.S. Case No. 51 of
2016 registered under section 376 IPC and section 3/4 of the
Protection of Children from Sexual Offences Act, 2012.

The father of the victim alleged that his daughter was
sitting in a jeep to go to a place. On way, the jeep developed
some trouble/defects. Md. Amjad, who was sitting from before in
the jeep, forcibly took the victim to a nearby place and committed
rape on her. The petitioner is said to be the driver of the jeep.

The contention of the petitioner is that there is no
allegation of ravishing the daughter of the informant against the
petitioner. He was plying a commercial jeep which, according to

the prosecution case itself, developed some trouble/defects. The victim in her statement has named Md. Amjad as the main accused. Considering the facts and circumstances of the case, Md. Amjad has been released on bail vide order dated 17.08.2016 (Annexure-3). The petitioner has no criminal antecedents.

In the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge-1 cum-Special Judge, POCSO, Act, Begusarai in Ballia P.S. Case No. 51 of 2016 on condition that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of charge, the petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall have liberty to cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

HR/-

U		T	
---	--	---	--