

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20313 of 2016

Arising Out of PS.Case No. -25 Year- 2016 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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Bachcha Babu Sah @ Bachchababu Sah son of Jangi Lal Sah, Resident of
village- Kuawan, P.S.- Chakia, District- East Champaran at Motihari

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ravi Shanker Pankaj, Advocate.

For the Opposite Party : Mr. Suresh Pd. Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody in connection
with Chakia P.S. Case No. 25 of 2016 corresponding to POCSO
Case No. 07 of 2016 for the offences instituted under Sections
376/511 of the Indian Penal Code and Section 6 of POCSO Act.

The prosecution story in brief, is that on 01.02.2016 at
about 6.00 P.M. in the evening, the informant Seema Devi heard
the sound of weeping of her daughter Anjali Kumari, aged about 3
and 1/2 years, then she went to the house of the petitioner and saw
that the door of his house was closed. Thereafter she saw from the
window that the petitioner opened under garment of her daughter
and naked her and sleeping on the bed with intention to wrong act.

The informant raised hulla then the nearby people came there then the petitioner fled away leaving her daughter.

It is submitted on behalf of the petitioner that the petitioner is in custody since 01.02.2016. The charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering with the evidence against the petitioner. From perusal of the paras-22 and 23 of the case diary, it is evident that the said witnesses have not supported the prosecution case. The matter has been settled between the parties which is evident from para-23 of the case diary.

On behalf of the state it has been submitted that the petitioner is named in the F.I.R.

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 1st Additional Sessions Judge, East Champaran at Motihari in connection with Chakia P.S. Case No. 25 of 2016 corresponding to POCSO Case No. 07 of 2016.

(Sudhir Singh, J.)

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