

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32793 of 2016

Arising Out of PS.Case No. -129 Year- 2016 Thana -MAGADH MEDICAL COLLEGE District- GAYA
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Lalu @ Deepak Kumar @ Lallu son of Ashok Sharma Resident of Village-
Bajrahi Police Station- Magadh Medical, District- Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shailesh Kumar

For the Opposite Party : Mr. Binod Kumar 3, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 16-08-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 24.06.2016 in connection with Magadh Medical P.S. Case No. 129 of 2016, POCSO Case No. 30 of 2016 for the alleged offences under Section 376 of the Indian Penal Code and Section 12 of the POCSO Act.

3. It is submitted that the petitioner has been falsely implicated and in any event the offence under Section 376 of the Indian Penal Code is not made out against the petitioner on the basis of the statement of the informant recorded under Section 164 Cr. P.C. The accusation under the POCSO Act is also not made out in view of the medical report showing the informant's age as 19 years.

4. Having regard to the entirety of the facts and

circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned A.D.J. Ist-cum-Special Judge, POCSO Act, Gaya in connection with Magadh Medical P.S. Case No. 129 of 2016, POCSO Case No. 30 of 2016 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on three consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/BT

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