

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27164 of 2016

Arising Out of PS.Case No. -66 Year- 2015 Thana -MAHILA P.S. District- MADHEPURA

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Bishnu Yadav Son Ramkrishna Yadav, resident of village - Murho, Tola -
Bhitta, P.S. & District - Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 30-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 376, 506 of the I.P.C. and Section 4 of the POCSO Act.

The prosecution story, in brief, is that on the alleged date and time of occurrence the while informant's daughter went to Bahiyar to cut grass, then the petitioner allured on pretext of marry and used to commit rape upon her. This happening was going on for several months. When the daughter of the informant asked the petitioner to marry with her, then the petitioner refused to marry with her and then the victim girl narrated the whole incident to her mother. Thereafter the informant met to the father of the petitioner and told him regarding nefarious act of his son but no response.

It has been submitted on behalf of the petitioner that

the petitioner is in custody since 21.3.2016 and the charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case on the pretext of marriage. It is alleged that the petitioner established physically relationship with the victim. Later on vide Annexure-2 a petition was filed in the court below stating that due to mistake of fact the present case has been instituted.

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

Considering the aforesaid facts and circumstances, it is directed that 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 learned Additional Sessions Judge 1st-cum-Special Judge, POCSO Act, Madhepura in connection with POSCO Special case No.09 of 2015 arising out of Mahila (Madhepura) P.S. case No.66 of 2015.

(Sudhir Singh, J)

Narendra/-

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