

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13281 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -KUDRA District- BHABHUA (KAIMUR)

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Subhash Kumar @ Subash Kumar, S/o Sudama Singh, resident of Village-
Tekari, P.S.- Chenari, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bhaskar Shankar, Advocate.

For the Opposite Party : Mr. Uday Chandra Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

2 01-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

This is a petition for grant of regular bail in a case
under Sections 363, 366, 366(A), 376, 342 of the Indian Penal
Code, under Section 3(2)(B)/7(1)(A) of Immoral Traffic Act and
under Section 4 of POCSO Act.

It is alleged that on secret information, a raid was
conducted at Shiva Hotel, where some persons were found to be
indulged in sexual activity. Thereafter the boys and girls were
arrested.

It is submitted on behalf of the petitioner that the victim
was medically examined and no sign of sexual act was found nor
any foreign material was seen. It is further submitted that as per
medical report as well as statement of the victim recorded under

Section 164 Cr.P.C., she is major; hence no case under Section 366(A) of Indian Penal Code and under Section 4 of POCSO Act is made out against the petitioner. The petitioner is in custody since 14.02.2016.

In view of the statement of the victim under Section 164 Cr.P.C. as well as medical report, the petitioner above named is ordered to be released on bail on furnishing bail bonds of Rs.10, 000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Bhabua (Kaimur), in connection with POCSO Trial No. 04 of 2016 arising out of Kudra P.S. Case No. 46 of 2016.

(Gopal Prasad, J.)

Amit/-

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