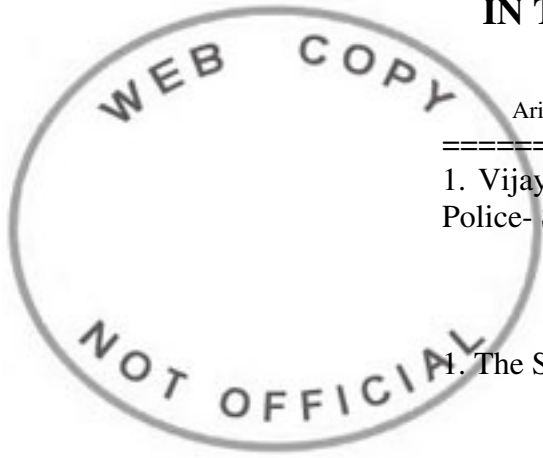




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36055 of 2016

Arising Out of PS.Case No. -93 Year- 2016 Thana -AWTARNAGAR District- SARAN

=====

1. Vijay Rai, son of Sri Raghunath Rai, resident of Village-Khori Pakar,
Police- Station- Garkha, District- Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP.

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 08-09-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Vijay Rai, in connection with Awtar Nagar Police Station Case No. 93 of 2016, under Sections 341, 323, 376, 307/34 of the Indian Penal Code and 3/4 of POCSO Act.

Perused the above application and materials on record.

Heard Mr. Shambhu Prasad Yadav, learned Counsel for the petitioner, and Mr. Nawal Kishore Prasad, learned Additional Public Prosecutor, appearing on behalf of the State.

In view of the fact that the accused above-named has been in custody since 17.05.2016 in connection with the case



aforementioned, the alleged victim is medically found to be 18 to 19 years old and though *charge sheet* has been submitted, trial has not yet commenced and perusal of the materials available does not reveal such incriminating materials, which would warrant further detention of the accused-petitioner in custody, and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioner's liberty on bail would adversely affect his trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties, each of the like amount, subject to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, Saran at Chapra, in connection with Awtar Nagar Police Station Case No. 93 of 2016.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions,
this bail application shall stand disposed of.

(I.A. Ansari, CJ)

K.C.jha/-

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