

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21705 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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1. Chaturi Sah Son of Late Lakhan Sah, Resident of Village- Lohadan, P.S.-
Chand , District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-06-2017 Heard learned counsel for the petitioner and learned
Addl P.P. for the State.

The petitioner seeks bail in Mahila (Bhabua) P.S. Case
No. 15 of 2017 instituted for the offence under Sections-376 of the
Indian Penal Code and 4 of POCSO Act.

It has been submitted on behalf of the petitioner that
alleged occurrence has taken place on 08-03-2017 and the written
report has been filed on 12-03-2017. It has further been submitted
that there is allegation in the written report of inserting finger in
the private part of the daughter of the informant but during
medical report, the doctor found no external or internal injury on
private part and hymen was also found intact.

As per written report the informant got information by his



son on 08-03-2017 that his sister Babita Kumari is not feeling well. The informant came to his village house and learnt from his handicapped wife that his daughter Babita Kumari was taken by this petitioner to his shop and on the pretext of giving chocolate, he inserted finger in her private part.

Learned APP after perusal of the case diary submitted that the doctor in the medical report has found no external or internal injury on private part of the victim and hymen was found intact.

In such circumstances, prayer for bail is allowed. The petitioner, named above is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount in connection with Mahila (Bhabua) P.S. Case No. 15 of 2017 to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, Kaimur at Bhabua subject to condition that both the bailors should be close relatives of the petitioner.

(Sanjay Priya, J)

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