

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28135 of 2017

Arising Out of PS.Case No. -10 Year- 2017 Thana -DANDARI District- BEGUSARAI

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1. Ravin Kumar, son of Moti Sahni, resident of Village- Dandari, P.S.-
Dandari, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 28-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is languishing in custody since
28.02.2017 registered for offences punishable under Section 376
of the Indian Penal Code and Section 6/8 POCSO Act.

The prosecution case as lodged by the informant, Puja
Kumari is that while she was coming home with wood for burning
fuel, the petitioner forcibly dragged her in field and committed
rape on her and on alarm, Co-villager came there as such, the
petitioner fled away.

It has been submitted by the learned counsel for the
petitioner that he is innocent, he is himself a minor boy of 18 years
and there is long property dispute between both the parties. It has



further been submitted that no one has seen the alleged occurrence and it was committed in broad day light and charge sheet has already been submitted, hence there is no chance of tampering with the prosecution evidence. He submits that considering the age and period of custody, a sympathetic consideration be taken.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and materials on record, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st Cum Special Judge (POCSO), Begusarai in connection with POCSO Case No. 09 of 2017 arising out of Dandari P.S.Case No. 10/2017, subject to the conditions that one of the bailors would be a close relative of the petitioner and the other bailor would have sufficient immovable property within the jurisdiction of the concerned Police Station/ Court, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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