

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39646 of 2017

Arising Out of PS.Case No. -451 Year- 2016 Thana -BAHADURPUR District- DARBHANGA

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Dharmendra Das Son of Jiwan Das Resident of village- Asgaon, P.S.-
Bahadurpur, District- Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babita Kumari

For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL

ORAL ORDER

4 19-08-2017 Learned counsel for the petitioner is permitted to make

necessary correction in para 1 of the petition.

Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in connection with

Bahadurpur P.S. Case No.451/16 for the offences under Sections
363, 366(A), 376,212/34 of the Indian Penal Code and Section 4
of POCSO Act.

As per written report co-accused Soni Kumari and

Meena Kumari took the minor daughter of informant Jehana
Khatoon from her house then all named accused persons
Kidnapped her away.

It is submitted by the learned counsel for the petitioner

that the petitioner is not named in the F.I.R.. He only happens to



be the uncle of the co-accused Kanhaiya Kumar Das at whose house in Delhi Kanhaiya Kumar Das had taken the victim girl and after getting knowledge of the occurrence of kidnapping he took both Kanhaiya and the victim to the court of Laheriya Sarai from where the victim went to her house. The petitioner has no concern with the aforesaid occurrence. He is in custody since 5.5.2017.

From perusal of the impugned order it appears that the victim in her statement recorded under Section 164 Cr.P.C. has stated that Kanhaiya Kumar Das by administering intoxicant took her to Delhi and kept at the house of the petitioner and committed rape on her. Later on this petitioner had dropped the victim and Kanhaiya at Lakhisarai Court.

In view of the aforesaid facts and circumstances of the case, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge (POCSO Act), Darbhanga, in Bahadurpur P.S.Case No.451/16.

(Prakash Chandra Jaiswal, J)

AnilKrSinha/-

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