

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53897 of 2017

Arising Out of PS.Case No. -170 Year- 2017 Thana -MAHILA P.S. District- NALANDA
(BIHARSHARIFF)

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Rakesh Kumar Paswan, S/o Ramuchit Paswan, R/o Village Chero, P.S.
Harnaut, Dist. Nalanda, Bihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate.
Mr. Ashutosh Nath, Advocate
Mr. Sandeep, Advocate.

For the Opposite Party/s : Mr. Iftekhar Mahmood, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 22-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Mahila P.S. Nalanda, F.I.R. No. 170 of 2017, G.R. No.21 of 2017** instituted for the offence under Sections 4/8 of POCSO Act.

Learned counsel for the petitioner has submitted that victim girl has given her statement under Section 164 Cr. P.C. wherein she has not levelled any specific allegation of committing illegal act against this petitioner.

The case diary has been received.

The victim girl was medically examined. Medical report is available in paragraph-11 of the case diary wherein the Doctor has assessed the age of the victim girl to be 15-16 years. It is further mentioned in the medical report that no any



spermatozoas was found.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Mahila P.S. Nalanda, F.I.R. No. 170 of 2017, G.R. No. 21 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **ADJ-cum-Special Judge, Nalanda at Bihar Sharif**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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