

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49599 of 2017

Arising Out of PS.Case No. -455 Year- 2016 Thana -KRITYANAND NAGAR District- PURNIA

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1. Md. Najbul @ Bilgu son of Late Sabit Khan, resident of Village-
Jhagarua, P.S.- Srinagar (K.Nagar), District- Purnia.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 27-11-2017 Heard the counsels for the parties.

The petitioner seeks bail in connection with K. Nagar
(Srinagar) P.S. Case No. 455 of 2016 dated 21.12.2016 instituted
for the offence under Section 376 of the Indian Penal Code and
Section 4 of the POCSO Act, 2012.

The petitioner is said to be in custody since 23.12.2016.
Though the petitioner is alleged to have ravished a 12 year old girl
and had continued to do so by putting the family of the victim
under threat of assault, but during the trial, none of the witnesses
have supported the prosecution version. Neither the mother nor the
victim herself has supported the prosecution case and they have
clearly stated that the petitioner did not commit any illegal act.

Taking into account the facts aforesaid as well as the



period of custody, the petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge 1st -cum-Special Judge POCSO, Purnia in connection with K. Nagar (Srinagar) P.S. Case No. 455/2016.

The petitioner shall, however, participate in the trial and his unauthorized absence on two consecutive dates would entitle the State to proceed for cancellation of the bail granted to the petitioner.

(Ashutosh Kumar, J.)

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