

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52838 of 2017

Arising Out of PS.Case No. -94 Year- 2016 Thana -BAIKUNTHPUR District- GOPALGANJ

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Dilip Kumar, son of Mankeshwar Raut, resident of village - Bakhari, P.S. -
Baikunthpur, District - Gopalganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-11-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Baikunthpur P.S.Case No. 94 of 2016 registered for the offences
punishable under Sections 354B, 376, 511 of the Indian Penal
Code and 4, 5, 9 & 18 of POCSO Act.

Allegation against the petitioner is of attempting to
commit rape upon the informant and the case is also under the
POCSO Act.

Submission of learned counsel for the petitioner is that no
case under Sections 376/511 IPC is made out and at best it is a
case under Section 354 IPC against the petitioner and he is in
custody for about four months and he is a college student.

Heard learned APP also, who has opposed the prayer for



bail.

Having heard both sides and considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioner.

However, once charge has been framed in this case, learned trial court will release the petitioner on bail to its own satisfaction with an undertaking that petitioner will co-operate in trial and appear on each and every date, except showing any genuine reason.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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