

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1429 of 2017

Arising Out of PS.Case No. -17 Year- 2016 Thana -BAUSI District- -

=====

Chhotu Kumar @ Chhotu Kumar Yadav Son of Dulip Yadav @ Dilip Kumar Yadav Resident of Village-Mahesh Khunt, P.S.-Dagarua, District-Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

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

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 08-02-2017 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

The petitioner is in custody in Special Case No.16/16 arising out of Baisi P.S.Case No.17/16 for the offence under Section 376 of the I.P.C. and Section 4 of POCSO Act.

Learned counsel for the petitioner submits that earlier the prayer for bail of the petitioner was refused by this Court on merit vide Cr.Misc. No.26120/16 on 10.8.2016.

The victim has been examined in the trial court as P.W.3 as stated about committing rape by this petitioner in examination in chief but in cross examination she stated that petitioner is, son of her maternal uncle she wants to perform marry



with petitioner but he refused then case has been lodged and no rape was committed

Learned counsel further submits that the petitioner has no criminal antecedent and he is in custody since 9.3.2016.

Considering the nature of offence and period of incarceration of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge – cum- Special Judge, Purnea, in Special Case No.16/16 arising out of hBaisi P.S. Case No.17/16.

(Rajendra Kumar Mishra, J)

AnilKrSinha/-

U		T	
---	--	---	--

