

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24937 of 2017

Arising Out of PS.Case No. -10 Year- 2015 Thana -RATANPURA District- SUPAUL

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Shatrudhan Mehta S/o Sri Laxmi Mehta Resident of Village- Piprahi, P.S.-
Ratanpura, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta, Advocate

For the Opposite Party/s : Mr. Pancha Nand Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 07-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
17.05.2015 in connection with Ratanpura P.S. Case No. 10 of
2015, POCSO Case No. 14 of 2015 registered for the offence
punishable under Sections 341, 323 and 376/34 of the Indian Penal
Code and Section 4 of the POCSO Act.

The prosecution case, as lodged by the victim's father,
is that his daughter aged 8 years, namely, Savita Kumari was
raped by the petitioner and other co-accused, which has been
narrated by the informant's wife, Sita Devi.

It has been submitted by the learned counsel for the
petitioner that he is innocent and the informant's wife in her



statement under Section 164 of the Cr.P.C. has stated that she has not seen the occurrence and the informant has also filed a compromise petition before the learned Court below. He submits that charge-sheet has already been submitted and that petitioner is in custody for more than two years, hence, a sympathetic consideration be given.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the victim girl has named the petitioner.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.D.J. 1st, Supaul in connection with Ratanpura P.S. Case No. 10 of 2015, POCSO Case No. 14 of 2015, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable properties within the jurisdiction of the concerned P.S./ Court, who would file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear before the learned Court below on



two consecutive dates without assigning any reason will entail
cancellation of his bail bonds.

(Nilu Agrawal, J.)

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