

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31845 of 2017

Arising Out of PS.Case No. -216 Year- 2016 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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Raju Ram Son of Gobardhan Ram, Resident of Village- Kaithwaliya, P.S.-
Chanpattia, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arvind Kumar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 24.03.2017 in connection with Chanpattia P.S. Case No. 216 of 2016 for the offences alleged under Sections 376, 511/34 of the Indian Penal Code and Section 8 of the POCSO Act, 2012.

3. It is submitted that the petitioner has been falsely implicated which is evident also from the very fact that the F.I.R. has been lodged about 25 days after the alleged occurrence. The prosecution case instituted at the instance of the informant is vindictive as her name was not included in the Chief Minister's Skill Development Scheme as 30 members had already been enrolled and no further seats were vacant. It is submitted that even on the accusations contained in the F.I.R., no offence under Section 8 of the POCSO Act, 2012 is made out. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above



named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ADJ 1st cum Special Judge, Bettiah, West Champaran, in connection with Chanpattia P.S. Case No. 216 of 2016, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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