

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38685 of 2017

Arising Out of PS.Case No. -98 Year- 2017 Thana -JANKINAGAR District- PURNIA

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1. Prawesh Kumar, Son of Yogendra Mandal, Resident of Village- Bora
Rahi (Novlakhi), P.S.- Janki Nagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Ahmad Ali

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
19.05.2017 in connection with Janki Nagar P.S. Case No. 98 of
2017, Special Case No. 37/17 for offences punishable under
Sections 452, 354-B of the Indian Penal Code and Section 8 of
the POCSO Act.

The prosecution case, as lodged by the informant, is
that his daughter, who is a Class-X student had love affair with
the petitioner, who had come to his house and tried to commit
rape on his daughter. Petitioner was agreeable to marry the
informant's daughter in the panchayat so held but later on he



showed his unwillingness.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and First Information Report has been lodged after a delay of two days and no plausible explanation has been given for such delay. He submits that no overt act has been alleged to have been committed by the petitioner and that the informant is a muscleman of the locality and is trying to forcibly marry his daughter with the petitioner and having failed, the present case has been lodged as an afterthought. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge cum Special Judge, Purnea, in connection with Janki Nagar P.S. Case No. 98/2017, Special



Case No. 37/17, subject to the condition that both the bailors
would be close relatives of the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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