

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43384 of 2017

Arising Out of PS.Case No. -231 Year- 2016 Thana -CHENARI District- SASARAM (ROHTAS)

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1. Pintu Pal, Son of Durga Pal, Resident of Village- Telari, P.O.- Telari,
P.S.- Chenari, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 15-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
07.04.2017 in connection with Chenari P.S. Case No. 231 of 2016
for offences punishable under Sections 376, 511, 534 (B) of the
Indian Penal Code and Section 8 of POCSO Act.

The prosecution case, as lodged by the victim girl,
Nirmala Kumari, aged 13 years, is that while she was staying in
her rented house along with her uncle and aunt for the last 10
years, the land lord's son, the petitioner, tried to commit rape on
her. He was caught but managed to flee away.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and no



overt act has been alleged by the informant against him. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses.

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 Additional Sessions Judge, Rohtas at Sasaram -cum- Special Court, POCSO, Rohtas at Sasaram, in connection with Chenari P.S. Case No. 231 of 2016 subject to the condition that one of the bailors would be a close relative of the petitioner, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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