

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5863 of 2017**

Arising Out of PS.Case No. -58 Year- 2015 Thana -VISHNUPAD District- GAYA

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1. Shankar Paswan @ Bhoma, S/o Late Dilchand Paswan, Resident of Mohalla-Maranpur Kapildhara, P.S.-Vishnupad, District-Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

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**CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR**  
**ORAL ORDER**

2      08-02-2017                      Heard learned counsel for the petitioner and learned  
APP appearing on behalf of the State.

The petitioner seeks regular bail in connection with Vishnupad P.S. Case No. 58 of 2015 registered for the offences punishable under Sections 376, 511 of the Indian Penal Code and Section 4 / 6 of the POCSO Act.

The allegation is that this petitioner tried to commit rape on the minor grand daughter of the informant.

Learned counsel for the petitioner submits that the petitioner is aged about 54 years and he has falsely been implicated merely on suspicion. The victim is a mentally retired girl and in course of trial, three of the witnesses including the sister, mother and informant have not supported the prosecution



version. The informant has filed a compromise petition also. The petitioner remained in custody since 21.06.2015. The victim was neither produced before the court for her examination under Section 164 Cr.P.C. nor her statement was recorded under Section 161 Cr. P.C.

Learned APP for the State opposed the submission.

Considering the facts and circumstances above, the prayer for bail application is allowed. The petitioner, Shankar Paswan @ Bhoma, is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Additional District & Sessions Judge-1<sup>st</sup>-cum-Special Judge (POCSO Act), Gaya in connection with Vishnupad P.S. Case No. 58 of 2015.

**(Sanjay Kumar, J)**

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