

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12541 of 2017

Arising Out of PS.Case No. -92 Year- 2016 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Vijay Lal Bhagat, S/o Late Yogendra Bhagat, R/o Village Kashi Pakari
P.S. Rajepur, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 17-04-2017 Heard both sides.

The petitioner seeks bail in Rajepur P.S. Case No. 92/2016, registered for the offences punishable under Sections 376, 511, 341, 354 B of the Indian Penal Code and Sections 8 and 10 of the POCSO Act.

The informant alleged that while her daughter was going to take tuition, the petitioner caught her and tied her mouth with cloths, but her daughter raised alarm and villagers came. Then, the petitioner fled away.

Learned counsel for the petitioner submits that there is only allegation against the petitioner that he tied the mouth of the daughter of the informant, but did not make any outrageous



act.

Learned counsel for the informant vehemently opposed the prayer for bail and submitted that the victim in her statement made under Section 164 of the Cr.P.C. stated that the petitioner took her to a bush and made her naked.

It appears that, of course, the victim is a minor girl, but she has made altogether a different story in her statement recorded under Section 164 Cr.P.C. from that as stated in the FIR.

Considering the nature of allegation made against the petitioner and the fact that the petitioner has got no criminal antecedent and he has remained in custody for more than three months, the petitioner above named is directed to 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 the learned Additional District & Sessions Judge I-cum-Special Judge, POCSO, East Champaran, Motihari in connection with Rajepur P.S. Case No. 92/2016.

(Prabhat Kumar Jha, J.)

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