

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13220 of 2018

Arising Out of PS.Case No. -118 Year- 2017 Thana -BYPASS District- PATNA

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1. Shashi Kumar S/o Devendra Prasad, R/o Village- Kharaunia Bagicha Sahara Godwon Road, P.S.- Bypass, District- Patna and at Present Near Hanuman Mandir, Daudbigha Bahadurpur Housing Colony, P.S.- Agamkuan, district- patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babita Kumari, Adv.

For the Opposite Party/s : Mr. Sri Dilip Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 08-03-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 363/366A of the Indian Penal Code and later on Section 376 of the Indian Penal Code as well as Section 4/6 of POCSO Act was also added.

Earlier, the same informant has lodged Bypass (Patna) P.S.Case No.112 of 2016 against the petitioner making identical allegation of kidnapping and commission of rape against her daughter. A Coordinate Bench of this Court granted bail to the petitioner in Cr.Misc.No. 63446 of 2017.



Considering the fact that the matter was of consensual sex. The victim had stated that she had already married with the petitioner and she was pregnant from the petitioner.

Again, this FIR has been lodged with identical allegation.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Special Case No.131 of 2017 arising out of Bypass P.S.Case No.118 of 2017, subject to the condition that the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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