

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16923 of 2018**

Arising Out of PS.Case No. -80 Year- 2016 Thana -AMAUR District- PURNIA

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1. Amit Sharma @ Amit Kumar Sharma, Son of Katanu Sharma @ Keshav Lal Sharma, resident of Khari Mahin Gaon, P.S. Amour, District- Purnea.

.... .... Petitioner/s

Versus

1. The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Smt. Gulnar Begam, APP

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

2      28-03-2018                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 366A/376 of the Indian Penal Code. Subsequently, offence under Section 4 of the POCSO Act was added.

It appears that trial is already going on and the statement of the victim was recorded as PW 5 wherein she has supported the allegation of commission of rape against her by two persons. However, she clearly admitted that she could not identify the miscreants. The informant, who is father of the victim girl, has also turned hostile.

Considering the aforesaid fact as well as fate of



the trial, 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 the learned Court-below where the case is pending in connection with Special (POCSO) Case No.29 of 2017, arising out of Amour P.S. Case No.80 of 2016, with condition that the petitioner shall fully cooperate with the investigation/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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