

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15171 of 2018

Arising Out of PS. Case No.-181 Year-2016 Thana- SURYAGARHA District- Lakhisarai

Rahul Kumar, Son of Devendra Mahto, Resident of Village- Kanipar, Police Station- Surahgarha (Manikpur), District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 09-04-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Surajgarha (Manikpur) P.S. Case No. 181 of 2016 registered for the offence punishable under Section 370 of the Indian Penal Code and 2/8 of POCSO Act.

Informant is the mother of victim girl, who in her written complaint has stated that her daughter Radha Kumari is studying in School and she had gone to school on 19.07.2016 but thereafter she did not return. The case was lodged on 24.07.2016 after five days of offence. The victim girl in her statement under Section 164 Cr.P.C. has stated that she likes petitioner and she had gone with the petitioner on her own



volition and sweet will and she went out from her house because of assault and atrocities committed by her mother, brother and sister in law and she was taken to the house of petitioner on her request and she remained there four days and thereafter returned to her home and her mother took her to police station and lodged the present case and the girl was examined by the Medical Board and her age was assessed as 15 to 16 years and petitioner is also minor. It has been further submitted that petitioner has no criminal antecedent and he is student and studying in school. Petitioner is in custody since 30.01.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Surajgarha (Manikpur) P.S. Case No. 181 of 2016.

(S. Kumar, J)

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