

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14623 of 2018

Arising Out of PS. Case No.-172 Year-2017 Thana- MAHILA P.S. District- Nalanda

Krishna Jamadar. son of Late Govind Jamadar, Resident of Village-
Beshwak, Police Station- Islampur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

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

This is an application for regular bail in connection with Mahila P. S. Case No. 172 of 2017 registered for the offences punishable under Sections 354B and 323 of the Indian Penal Code and Sections 4/8 of POCSO Act.

Informant is father of victim girl who in his FIR has stated that on 30.9.2017 at about 9 A.M. while he was sitting in his house, his daughter Riya Kumari aged about three years came weeping indicating towards her private part and thereafter informant took her in his lap and went near the mango tree of Narendra Kumar where she pointed towards this petitioner of committing sexual assault on her. The victim girl was examined by the Medical Board in which no internal and external injury was found. No blood stain or any injury was found in her



private part and the Medical Board has assessed her age to be 3 to 4 years. It has further been submitted that the victim girl's statement was recorded under Section 164 Cr. P.C. when learned court found her to be able to make such statement in which she has not named petitioner as accused. It has been submitted that petitioner is a poor person aged about 60 years and he is in custody since 4.10.2017.

Considering the facts and circumstances of the case, let above named petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge cum Special Judge, Nalanda at Bihar Sharif in connection with Mahila P. S. Case No. 172 of 2017.

(S. Kumar, J)

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