

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4056 of 2018

Arising Out of PS. Case No.-257 Year-2017 Thana- BODHGAYA District- Gaya

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Dipak Kumar S/o Sri Ashok Paswan , R/o Village- Pramod Nagar, P.S.-
Cherki, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh

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

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

5 14-03-2018 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Bodh
Gaya (Cherki) P.S. Case No. 257 of 2017 registered under
Sections 365, 354(B), 109, 309/34 of the Indian Penal Code and
Section 12 of the POCSO Act.

The petitioner and co-accused namely, Raja Babu
are said to have taken away the informant forcibly to the house
of Raja Babu when she was waiting for her mother on the
bridge. Thereafter, Raja Babu set her free asking her to set her
ablaze in case of quizzing by anyone and, accordingly, she made
attempt to end her life by setting her ablaze.

It is submitted by learned counsel for the



petitioner that no such occurrence as alleged ever took place. The petitioner has been falsely implicated in the case by the informant due to dirty village politics. There is no allegation of any sexual abuse against the informant at the hand of the petitioner. The allegation levelled against the petitioner is not specific rather omnibus. There is inordinate delay in lodging the FIR of one month without assigning any plausible explanation for the aforesaid delay. He has been languishing in custody since 25.09.2017.

In the facts and circumstances of the case, the above named petitioner 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 A.D.J-1st-cum-Special Judge (POCSO Act), Gaya in connection with Bodh Gaya (Cherki) P.S. Case No. 257 of 2017.

(Prakash Chandra Jaiswal, J)

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