

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31417 of 2018

Arising Out of PS.Case No. -37 Year- 2018 Thana -SIMRA District-
WESTCHAMPARAN(BETTIAH)

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Amlesh Rai S/o Sadhu Rai, R/o Village- Paratapur, P.S.- Semra, District-
West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 11-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with POCSO
Case No. 10 of 2018 arising out of Semra Police Station Case
No.37 of 2018 registered for offences punishable under sections
376 and 511 of the Indian Penal Code and section 8 of the POCSO
Act.

The allegation as per FIR is that this petitioner tried to
commit rape on victim. The statement of victim has been recorded
under section 164 Cr. PC. before the Magistrate where she has
supported the allegation.

It has been submitted that the petitioner is next door
neighbour of the informant and the present case has been lodged



with false and frivolous only on account of keeping straw near the house of informant. The petitioner is in custody since 11.03.2018 having clean antecedent and so he deserves to be enlarged on bail.

The learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge, Bagaha, West Champaran in connection with POCSO Case No. 10 of 2018 arising out of Semra Police Station Case No. 37 of 2018, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

Mahesh/-

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