

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58017 of 2017

Arising Out of PS.Case No. -408 Year- 2017 Thana -KRITYANAND NAGAR District- PURNIA

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Nandan Yadav, Son of Gajendra Yadav, Resident of Village- Maranga,
Yadav Tola, Police Station- Maranga in the District of Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 11-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Special Case No. 67 of 2017 arising out of K. Nagar P.S. Case No. 408 of 2017 registered for the offence punishable under Section 376 of the Indian Penal Code and Section 4 of POSCO Act.

The allegation against the petitioner is of committing rape on the informant while she along her sister were returning from residence of her maternal uncle where petitioner Nandan Yadav caught hold and took her in neighbouring place and committing rape on her. However, consequently she withdrew her



statement and stated that she had not taken name of this petitioner and her elder sister and maternal uncle were also with her. According to medical report her age is about 19-20 years and has not found any assault on her body or any part of the body and also there is no any mark of sexual intercourse against the victim. Petitioner has not criminal antecedent and he is in custody since 03.08.2017.

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 1st Additional Sessions Judge-Cum-Special Judge, (POCSO), Purnea, in connection with Special Case No. 67 of 2017.

(S. Kumar, J)

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