

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63672 of 2018

Arising Out of PS.Case No. -181 Year- 2017 Thana -AURAI District-MUZAFFARPUR

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Aman @ Brajesh S/o Devendra Prasad Yadav resident of Village-
Chandwara, P.S. Aurai, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 29-10-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner seeks bail in Aurai P.S. Case No. 181/2017,
registered for the offences punishable under Section 376(D) of the
Indian Penal Code and section 4 and 6 of the P.O.C.S.O. Act.

Allegation is committing rape upon the daughter of
informant by the accused persons. The informant identified one of
accused by his voice namely, Aman @ Brajesh (petitioner).

It has been submitted that petitioner has falsely been
implicated in this case due to business rivalry. He is owner of a
mobile shop situated near the house-cum-shop of the informant.
Medical report also not supports the allegation of sexual assault.
One of the co-accused has been granted bail by this court.

Petitioner has no criminal antecedent. He is in custody



since 11.11.2017.

Considering the facts aforesaid, the petitioner above-named, 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 Special Judge, P.O.C.S.O., Act, Muzaffarpur in connection with Aurai P.S. Case No. 181/2017, subject to the conditions:

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.
- (3.) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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