

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62998 of 2018

Arising Out of PS. Case No.-128 Year-2018 Thana- PANDAUL District- Madhubani

Lal Babu Yadav @ Laba @ Lala Yadav, Son of Tilak Yadav, Resident of
Village- Patchpur Belahi, P.S.- Pandaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 26-10-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with pandaul P.S. Case No. 128 of 2018 (G.R. No. 70 of 2018) registered for the offences punishable under Sections 341, 323, 363, 366(A), 354, 372, 504, 506 and 34 of the Indian Penal Code and under Section 12 of POCSO Act.

Allegation against petitioner is of kidnapping and committing rape upon the grand daughter of the informant.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. The occurrence took place on 22.07.2018 and FIR was instituted on 25.07.2018 after delay of three days. Statement of the victim girl has been taken under



Section 164 of the Cr. P.C. in which she does not made any allegation of committing rape upon her. The age of girl has been assessed as 17 years and no medical evidence of sexual offence was found by Medical Board. Petitioner has no criminal antecedent. He is in custody since 27.07.2018.

Considering the aforesaid fact 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 Additional District and Sessions Judge-Ist-Cum- Sepcial Judge (POCSO Act), Madhubani in connection with Pandaul P.S. Case No. 128 of 2018 (G.R. No. 70 of 2018).

(S. Kumar, J)

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