

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67082 of 2018

Arising Out of PS. Case No.-384 Year-2018 Thana- JAKKANPUR District- Patna

Shyamal @ Shyamal Chandra Son of Late Samresh Chandra Ghosh, Resident
of Machchali Gali,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Arup Kumar Chongdar
For the Opposite Party/s :	Mr. Sri Madhuranand Jha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with
Jakkanpur P.S.Case No.384 of 2018 dated 18.8.2018 registered
for offences punishable under Sections 363, 376(D)/34 of the
Indian Penal Code and read with Section 4, 6 8, 10 and 12 of
POCSO Act.

Allegation as per FIR is of commission of rape by
the petitioner and other accused persons to the informant.

Submission of the learned counsel for the petitioner
is that statement of the informant was recorded under Section
164 Cr.P.C. which does not disclose the prosecution story of
commission of rape rather it appears that the petitioner



misbehaved with the informatn and nothing else. The petitioner is in custody for three months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge No.1 cum Special Judge, POSCO, Patna in connection with Jakkanpur P.S.case No.384 of 2018..

With 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 co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.



With the aforesaid observation, this application is
allowed.

(Vinod Kumar Sinha, J)

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