

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66450 of 2018

Arising Out of PS. Case No.-195 Year-2018 Thana- KONCH District- Gaya

DEEPAK PASWAN @ DEEPAK KUMAR Son of Umesh Paswan Resident
of Village-Mangraur Police Station Konch, Distt.-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
	:	Ms. Sanjana, Advocate
	:	Jai Shankar Pd., Advocate
For the Opposite Party/s	:	Mr. Sri Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Konch P.S. Case No. 195 of 2018 registered for the offence punishable under Sections 3395, 376(D), 376(3), 376DA, 397 of the Indian Penal Code and Section 6 of POCSO Act.

FIR was registered against 10 unknown persons who have committed rape upon informant's wife and his daughter.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that petitioner has been put on TIP but he was not identified. Police had not found case true against him and had not filed charge sheet against him but court below took



cognizance against petitioner differing with opinion of police. It has been further submitted that co-accused, namely, Gaurav Kumar and Shivam Kumar have been granted bail by this Hon'ble Court vide order dated 31.10.2018 passed in Cr. Misc. No. 66472 of 2018. Petitioner has no criminal antecedent and he is in custody since 16.06.2018.

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 Additional Sessions Judge-I cum Special Judge (POCSO Act), Gaya, in POCSO Case No. 56 of 2018, in connection with Konch P.S. Case No. 195 of 2018 subject to the conditions that:-

(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 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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