

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76967 of 2018

Arising Out of PS. Case No.-177 Year-2018 Thana- BUXAR INDUSTRIAL District- Buxar

Raja Khan, son of Shamshad Khan, Resident of Village- Baraki Sarimpur,
P.S.- Buxar (Industrial), District- Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satyapal Singh, Advocate
For the informant	:	Mr. Rangnath Choubey, Advocate.
For the Opposite Party/s	:	Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioner, counsel
for the informant and State.

The petitioner seeks bail in connection with Buxar
(I) P.S. Case No. 177 of 2018 corresponding to POCSO Case
No. 53 of 2018 instituted for the offence under Sections 376 and
511 of the Indian Penal Code read with Section 11 of the
POCSO Act.

In the written report it is alleged that on 12.9.2018
at about 9:00 p.m. when the informant was sleeping alone in her
home, her father had gone to Baliya and her mother along with
younger brother and sister were sleeping on the roof, this
petitioner entered into her house. He caught her hand and
pulled her. Thereafter, he forcibly took her in the *Banswari* and



after opening her Salwar, tried to commit illegal act with her. She raised alarm, then he assaulted her in left wrist, forehead etc. She told about the occurrence to her mother. The father came from Baliya, then she along with her parents went to the house of petitioner. The parents and brother of the petitioners abused and threatened them.

Counsel for the petitioner submits that there is delay of two days in lodging First Information Report.

The statement of victim girl recorded under Section 161 Cr. P.C. before the police is available in paragraph-17 of the case diary wherein she has stated that she likes petitioner and wanted to perform marriage with him in proper manner and not in the way for which petitioner was giving pressure to her.

Petitioner is said to be in custody since 15.9.2018 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-1st-cum-Special Judge POCSO Act, Buxar in connection with Buxar (I) P.S. Case No. 177 of 2018 corresponding to



POCSO Case No. 53 of 2018, subject to the condition that both
the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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