

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74324 of 2018

Arising Out of PS. Case No.-290 Year-2018 Thana- SHIVSAGAR District- Rohtas

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Akshay Kumar s/o Chandrama Ram, R/v- Badki Khairi, P.s.-Shivsagar,
District – Rohtas at Sasaram

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in Shivsagar P.S.
Case No. 290/2018, registered for the offence punishable under
Sections 448, 376 and 511 of the Indian Penal Code.

The informant alleged that on the date of occurrence
this petitioner entered into her room to do illegal act with her.

Learned counsel for the petitioner has submitted that
the victim girl has recorded her statement under Section 164
Cr.P.C. wherein she has stated that while she was sleeping in the
room alone and her grand-father was sleeping just by the side of
her room one person entered into her room who was seen by his
grand-father (Nana). He assaulted him and send him to jail. In
such manner, the statement under Section 164 Cr.P.C. is



different from the allegation made in the written report. Moreover, from the aforesaid statement, it appears that mere general and omnibus allegation is levelled against the petitioner. Petitioner is in custody since 27.08.2018 having clean antecedent.

Considering the facts and circumstances of the case, prayer of the petitioner for grant of bail 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 the learned Sub-Judge VIIth-cum - Additional Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Shivsasar P.S. Case No. 290/2018, subject to the condition that both the bailors will be close relative of petitioner.

(Sanjay Priya, J)

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