

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22790 of 2018

Arising Out of PS.Case No. -257 Year- 2017 Thana -BODHGAYA District- GAYA

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1. Raja Babu, Son of Late Karoo Paswan, Resident of Village- Pramod Nagar, P.S.- Cherki, Dist- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh

For the Opposite Party/s : Mr. Nityanand Tiwary

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 14-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 18.12.2017 in connection with Bodh-Gaya (Cherki) P.S. Case No. 257/17 registered for the offences punishable under Sections 354(B), 365,309,109 and 34 of the Indian Penal Code and Section 12 of POCSO Act.

Learned counsel for the petitioner submits that though it is alleged that the petitioner was a participant of the occurrence yet there is no allegation of any sexual assault or any kind of physical assault on the girl. It is submitted that Section 309 of the Indian Penal Code is bailable in nature and Section 354 of the Indian Penal Code, would not be applicable as there is no such allegation.



Learned counsel appearing on behalf of the State after perusal of the case diary submits that, save and except, the allegation made in the First Information Report, there is no further material in the case diary to implicate the present petitioner.

Considering the aforementioned facts and circumstances of the case and that the petitioner is not having any criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional & Sessions/Special Judge, Gaya, in connection with Bodh-Gaya (Cherki) P.S. Case No. 257/17.

(Anjana Mishra, J)

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