

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21920 of 2018

Arising Out of PS.Case No. -229 Year- 2018 Thana -SA SARAM NAGAR District- SASARAM
(ROHTAS)

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Md. Tabrej Alam S/o Jawed Iltaf, R/o Mohalla/Village- Takiya, Ward No. 1, P.S.- Sasaram (Model), District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 28-06-2018 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Sasaram (Town) PS case no. 229 of 2018 instituted for the offences punishable under Sections 376(D), 120B of Indian Penal Code and sections 4/6 of POCSO Act.

The allegation is against the petitioner and other accused persons of having committed wrongful act with the victim girl. The learned counsel for the petitioner has pointed out that in the FIR, it has been alleged that wrongful act was committed with the victim girl in the night of 03.02.2018, however Annexure 2 to the present writ petition which is a letter sent by the SHO of the concerned PS to the Spl.P.P., POCSO Act, Rohtas dated



11.03.2018 shows that the petitioner had already been arrested in the evening of 03.02.2018 at around 8 pm. The aforesaid contention of the petitioner has not been rebutted by the other side by reference to the materials on record. In such view of the matter, this Court finds that benefit of doubt, at the moment, would have to be extended to the petitioner for the purposes of grant of bail.

The learned counsel for the informant has opposed the prayer for bail.

Having regard to the facts and circumstances of the case, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I-cum-Spl. Judge, POCSO Act Rohtas at Sasaram in connection with Sasaram (M) Town PS case no. 229 of 2018.

(Mohit Kumar Shah, J)

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