

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44039 of 2018

Arising Out of PS. Case No.-115 Year-2018 Thana- SABAUR District- Bhagalpur

Arvind Kumar @ Arvind Das S/o Wakil Das, R/o Rajandipur, P.S.- Sabour,
District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha
For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 04-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Sabour P.S. Case No. 115 of 2018 corresponding to G.R. No. 1706/2018 registered for the offence punishable under Sections 376D, 506 (wrongly stated 406 in the impugned order) of the Indian Penal Code and Section 4 and 6 of POCSO Act.

Informant is the mother of victim girl, who has alleged in her written complaint that when she had gone outside to work, three named accused including petitioner entered her house and took her minor daughter Arti Kumari, aged about 15 years and raped her.



It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. During course of investigation, police recorded the statement of victim under Section 161 Cr.P.C. in which she did not take name of petitioner for committing rape upon her. It has been further submitted that in the medical examination, Medical Officer has not found any external or internal injury on the person of victim or on her private part and has assessed the age of victim girl between 16-17 years. Petitioner has no criminal antecedent and he is in custody since 18.04.2018.

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 1st Additional District and Sessions Judge cum Special Judge, POCSO, Bhagalpur, in connection with Sabour P.S. Case No. 115 of 2018 corresponding to G.R. No. 1706/2018.

(S. Kumar, J)

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