

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38155 of 2018

Arising Out of PS. Case No.-9 Year-2018 Thana- MAHILA P.S. District- Bhabhua (Kaimur)

Bihari Bind, S/o Phojdari Bind, Resident of Village Chandoruiya, P.S.
Bhabua, District- Kaimur at Bhabua.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Uday Pratap Singh, Adv.

For the Opposite Party : Mr. Shyam Bihari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 23-08-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Mahila (Bhabua) P.S. Case No. 9 of 2018 registered for the offences punishable under Section 376(D) of the Indian Penal Code and 6 of POCSO Act, 2012.

Informant is the mother of the victim girl, has stated in her written complaint that on 14.02.2018 at about 9:00 P.M. when she was sleeping with her minor daughter, petitioner along with other co-accused entered into his house and took her daughter on the strength of arms and after some time girl returned her house and revealed that she has been raped by the petitioner and other co-accused.

It has been submitted that after investigation police



submitted charge-sheet under Section 354 of Indian Penal Code and 8 of POCSO Act.

It has been submitted on behalf of the petitioner that petitioner is innocent and falsely been implicated in this case. He has got no criminal antecedent and he is in custody Since 27.03.2018. It has been further submitted that one of the co-accused Bhairo Nath Bind against whom similar allegations has alleged was granted bail by the court below itself in POCSO Case No. 03. of 2018 vide order dated 23.06.2018.

Considering the aforesaid fact 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 A.D.J. 1st -cum-Special Judge, POCSO Kaimur at Bhabua in connection with Mahila (Bhabua) P.S. Case No. 9 of 2018.

(S. Kumar, J)

Rajiv/manoj

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