

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37877 of 2018

Arising Out of PS.Case No. -67 Year- 2017 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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1. Achhay Lal Choudhary S/o Ram Vyash Choudhary @ Ram Vyash Mallah, R/o Vill.- Jamurna, P.S.- Ramgarh, District- Kaimur (Bhabua).

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar Mishra, Adv.

For the Opposite Party : Mr. Akbar Ali, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 12-09-2018 Heard learned counsel for petitioner and learned counsel for the state.

This is an application for regular bail in connection with Mahila (Bhabua) P.S. Case No. 67 of 2017 registered for the offences punishable under Sections 354, 354(A), 354(B), 354(C) and 376 of the Indian Penal Code and under Section 6 of the POCSO Act, 2012.

Allegation against petitioner is of outraging the modesty of informant and attempt to commit rape upon her. It has been submitted on behalf of the petitioner that he has been falsely implicated in this case on account of family dispute and land dispute and earlier also the mother of informant has lodged case of similar nature against petitioner in which he is on bail and in



another case he has been acquitted. There is difference between the statement made in the FIR and statement recorded under 164 of Cr.P.C. The girl has been examined by the Medical Board and her age has been determined as 17 to 19 years. No bodily injury external and internal or no sign of recent sexual intercourse has been found by the Medical Board. Petitioner is in custody 17.11.2017.

Considering the facts and circumstances of the case, let above named petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st-cum-Special Judge, Kaimur at Bhabua in connection with Mahila (Bhabua) P.S. Case No. 67 of 2017.

(S. Kumar, J)

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