

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54458 of 2018

Arising Out of PS.Case No. -75 Year- 2018 Thana -KOTWA District- EASTCHAMPARAN
(MOTIHARI)

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Lababu Das S/o Harishchandra Das R/o Village Karariya Fateh Tola, P.S.
Kotawa , District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Adv.

For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 05-10-2018 Heard learned counsel for petitioner and learned A.P.P.
for the State.

Petitioner seeks bail in Kotawa P.S. Case No. 75/2018,
registered for the offences punishable under Section 376D of the
Indian Penal Code and section 6 and 12 of the P.O.C.S.O. Act.

Allegation against the accused persons is that they
committed rape upon the daughter of the informant, took her
photographs and also made video.

It has been submitted that petitioner has falsely been
implicated in this case. He is not named in the F.I.R. No
incriminating article has been found against the petitioner and his
name has surfaced in this case during investigation.

Petitioner has no criminal antecedent. He is in custody



since 22.05.2018.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge I-cum-Special Judge, East Champaran in connection with Kotawa P.S. Case No. 75/2018, subject to the conditions:

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bonds.
- (3.) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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