

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58289 of 2018

Arising Out of PS.Case No. -181 Year- 2017 Thana -AURAI District- MUZAFFARPUR

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1. Dilip Sah, Son of Radheshyam Sah, Resident of Village- Majhauli
Bhanudih, P.S.- Runnisaipur, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra

For the Opposite Party/s : Mr. Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-10-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Aurai P.S. Case No.
181/2017, instituted for the offences under Sections 376(d) of the
Indian Penal Code read with Sections 4 and 6 of POCSO Act.

Learned counsel for the petitioner has submitted that
petitioner is not named in the written report. Statement of the
victim girl has been recorded under Section 161 Cr.P.C., wherein
she has not disclosed the name of this petitioner. She has disclosed
the name of Aman @ Brajesh Kumar. In her statement recorded
under Section 164 Cr.P.C., she has stated that Brajesh Rai and two
unknown person entered into the shop and took her to unknown
place and committed rape with her. She further disclosed that



earlier petitioner had committed theft in her shop. Petitioner is in custody since 07.02.2018.

Considering the aforesaid fact and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge 1st-cum-Special Judge, POCSO Act, Muzaffarpur in connection with Aurai P.S. Case No. 181/2017, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J.)

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