

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55353 of 2018

Arising Out of PS.Case No. -54 Year- 2017 Thana -MAHILA P.S. District- BANKA

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1. Lilo Das son of Kanhai Das, resident of Village- Dhodhari Tari, P.S. Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Sri Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in Banka (Mahila) P.S. Case No. 54/2017, instituted for the offence under Section 376 of the Indian Penal Code and Section 4 of POCSO Act.

Learned counsel for the petitioner has submitted that petitioner is in custody since 01.08.2018. There is apparent contradiction in the statement given by victim girl under Section 164 Cr.P.C. and in the written report. In the written report, she has stated that the petitioner committed rape with her when she went to attend the call of nature but in her statement under Section 164 Cr.P.C., she has stated that the petitioner attempted to commit rape with her when she was returning from the side of river. She has



further stated that earlier the petitioner had also committed rape with her.

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 Additional Sessions Judge I, Banka in connection with Banka (Mahila) P.S. Case No. 54/2017, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J.)

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