

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60328 of 2018

Arising Out of PS.Case No. -145 Year- 2018 Thana -DIGHWARA District- SARAN

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1. Raja Kumar S/o Suresh Ram, R/o Vill.- Hematpur, P.S.- Dighwara,
District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Sri Rajkishore Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-10-2018 Heard the parties.

The petitioner seeks regular bail in connection with Dighwara P.S.Case No.145 of 2018 registered for offences punishable under Sections 376 of the Indian Penal Code and Section 4 of the POCSO Act..

Allegation against the petitioner is of committing rape upon the daughter of the informant.

Submission of the learned counsel for the petitioner is that now they are married and they are living together. The petitioner is in custody since 13.7.2018.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with



direction to the learned court below to call upon the victim and verify the fact as to whether she is married with the petitioner and living with him, if it is so let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) in connection with Dighwara P.S.Case No.145 of 2018.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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