

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66663 of 2018

Arising Out of PS. Case No.-54 Year-2018 Thana- BENIPATTI District- Madhubani

=====

BABLOO @ BABOO RAUT@BABLOO KUMAR Son of Sri
Ramji Raut, Resident of Village-Nagbas, P.S.-Arer, District-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Sri S.M. Rahman

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 06-11-2018 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner, who is in custody, seeks bail in
connection with Benipatti P.S. Case No. 54 of 2018 registered
for the offence punishable under Sections 376 (2), (n) of the
Indian Penal Code and Section 6 POCSO Act.

Allegation against Petitioner is that he made
physical relation with the informant on promise of marriage.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case.
Petitioner is son of own aunt (Bua) of the informant. It has been
further submitted that when the Delhi police asked her for
medical examination she has denied. Victim girl who herself
reached at the house of petitioner for putting pressure of
solemnization of marriage with him and it is not possible to
marry with her because both are sister and brother in relation



and after refusal by the petitioner, present false case was lodged against him. Petitioner has no criminal antecedent and he is in custody since 30.04.2018.

Learned Counsel for the informant has vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge Cum-Special Judge, POCSO Act, Madhubani, in connection with Benipatti P.S. Case No. 54 of 2018 subject to the conditions that:-

(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 represented on each and every date fixed by the court.

(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)

veena/-

U		T	
---	--	---	--

