

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69174 of 2018

Arising Out of PS. Case No.-37 Year-2018 Thana- MAHILA P.S. District- Bhabhua (Kaimur)

Arjun Bind, son of Mangaru Bind, resident of village- Kauathor, P.S.- Chand,
District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. Md. Arif

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-12-2018 The petitioner seeks bail in connection with Mahila Bhabua P.S.Case No. 37 of 2018 registered under Sections 376 of the Indian penal Code and 6 of the Protection of Children from Sexual Offences Act.

Allegation against the petitioner is of commission of rape on the minor daughter of the informant.

Submission of learned counsel for the petitioner is that the victim girl and her mother has also been examined during trial and they have not supported the prosecution case of commission of rape and petitioner is in custody since 26.06.2018.

Heard learned APP also, who has opposed the prayer for bail on the ground that in their statements recorded under Sections 161 and 164 Cr.P.C., the victim girl and her mother



have supported the prosecution case and medical report also supports the same.

Having heard both sides and in the facts and circumstances, as the victim girl and her mother have not supported the prosecution case in their evidence, as such the petitioner, abovenamed, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-I, Kaimur at Bhabua in connection with Mahila(Bhabua) P.S. Case No. 37 of 2018 bearing POCSO Reg. No. 20 of 2018 with condition that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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