IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19466 of 2018

Arising Out of PS.Case No. -115 Year- 2017 Thana -BARAHIYA District- LAKHISARAI

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Sunil Kumar @ Sunil Singh S/o Ramdev Singh, R/o Village- Khutha Dih, P.S.- Barahiya, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:
For the Petitioner/s : Mr. Jai Prakash Singh
For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 18-05-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Barahiya P.S. Case No. 115 of 2017 registered under Sections 341, 323 and 377 of the Indian Penal Code and Section 6 of Protection of Children From Sexual Offence Act, 2012.

Petitioner is said to have sodomised the minor son of the informant.

It is submitted by learned counsel for the petitioner that the petitioner is quite innocent. He has committed no offence. He has been falsely implicated in this case as he runs a grocery shop and informant had purchased several articles on credit and on demand of money, instead of paying it he has falsely implicated

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the petitioner in the case. There is no eye witness of the occurrence. Though the petitioner happen to be next door neighbour of the informant, but the victim in his statement recorded under Section 164 Cr.P.C. has not named the petitioner. Though the victim has claimed to identify the predator on witnessing him, but the petitioner was not put on T.I.P and chargesheet in the case has already been submitted. The petitioner has been languishing in custody since 17.06.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 District and Sessions Judge-I, Lakhisarai in connection with Barahiya P.S. Case No. 115 of 2017.

(Prakash Chandra Jaiswal, J)

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