

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8780 of 2018

Arising Out of PS. Case No.-418 Year-2016 Thana- SHERGHATI District- Gaya

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Tantan Bhuiyan, S/O Sudani Bhuiyan, Resident of Village- Dobhi, P.S.-
Dobhi, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. SMT PUSHPA SINHA

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 21-03-2018 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with

POCSO Case No. 09 of 2017 arising out of Sherghati
(Dobhi) P.S. Case No. 418 of 2016 registered under Section
366(A) of the Indian Penal Code and Section 12 of the
POCSO Act.

Learned counsel for the petitioner submits that

the prayer for bail of the petitioner was earlier rejected vide
order dated 18.03.2017 passed in Cr. Misc. No. 12261 of
2017 by this Court. It is further submitted that while the
allegation has been made against the petitioner to kidnap the
victim, Ranju Kumari, sister of the informant, with intention



to perform the marriage and her statement was recorded, under Section 164 of the Cr.P.C., in which, she disclosed her age as 14 years and also disclosed that she was taken by this petitioner with intention to perform the marriage and kept by the petitioner for two days, from where, she was recovered by the police. But in the medical examination, her age was assessed in between 17 to 18 years, which has been detailed in the order dated 15.01.2018 passed in POCSO Case No. 9 of 2017 by the Additional Sessions Judge Ist-cum-Special Judge (POCSO Act), Gaya. Further submission is that, in fact, the victim, who was major at the time of occurrence, fell in love with the petitioner and left her house according to her own sweet will, but on the pressure of her family, disclosed the name of the petitioner. Further submission is that petitioner is in custody since 05.09.2016.

Having regard to the facts and the circumstances of the case, the petitioners above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge Ist-cum- Special Judge (POCSO Act), Gaya in connection with POCSO Case No. 09 of 2017 arising out of



Sherghati (Dobhi) P.S. Case No. 418 of 2016.

(Rajendra Kumar Mishra, J)

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