

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28636 of 2018

Arising Out of PS.Case No. -6 Year- 2018 Thana -MASRAKH District- SARAN

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Ravi Kumar Tiwari S/o Birendra Tiwari, R/o Vill.- Ghogia (Ghoghiya),
P.S.- Mashrakh, District- Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

4 19-07-2018

Heard.

The petitioner seeks regular bail in connection with
POCSO Case No.15 of 2018 arising out of Mashrakh P.S. Case
No. 06 of 2018 for the offences punishable under Sections 302,
376, 120(B), 201, 511/34 of the Indian Penal Code and section 4
of POCSO Act.

The allegation in the present case is regarding the
accused person namely Vinod Singh, Raja Singh and Arjun Yadav
having caught hold of the victim girl and committed rape upon her
whereafter the said three accused persons are said to have
murdered the victim girl and disposed of the body. Though the
petitioner is not an F.I.R. named accused person but his name has
transpired during the confessional statement made by the main
accused Vinod Singh to the effect that when the aforesaid two
accused persons had raped the victim girl and murdered her, then
the petitioner had come at the place of occurrence for taking milk



and then he was told to look after the place of occurrence so that the other accused persons could dispose of the dead body in the meantime.

The learned counsel for the petitioner has submitted that the petitioner has no role admittedly in the entire occurrence and at best he can be said to be one of the persons who is said to have subsequently arrived at the place of occurrence by chance and therefore, he has been falsely implicated in the present case. It is further submitted that as far as the aforesaid three accused persons who are the main culprits are concerned, they are already in custody. The petitioner is not named in the F.I.R., he is having a clean antecedent and he is in custody since 12.01.2018.

Per contra, the learned counsel for the informant has vehemently opposed to the prayer for bail.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District Judge-I, Saran at Chapra in connection with POCSO Case No.15 of 2018 Mashrakh P.S. Case No. 06 of 2018.

(Mohit Kumar Shah, J)

BTiwary/ Md. Rashid

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