

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54568 of 2018

Arising Out of PS.Case No. -117 Year- 2018 Thana -BYPASS District- PATNA

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SANOJ YADAV @ SANOJ KUMAR, S/o Late Sant Lal Yadav, R/o Chauk of Marchi, Ali Chak, P.S.- Bypass, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s: Smt Usha Kumari No-1, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 26-10-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Special Case No.73 of 2018** arising out of **Bypass P.S. Case No.117 of 2018** instituted for the offence under Section(s) 376 Indian Penal Code, Sections 4 and 6 of Protection of Children from Sexual Offence Act and Sections 3 (2)(v) SC and ST Act.

Counsel for the petitioner submits that instant case is counter blast of Bypass P.S. Case No.116 of 2018 lodged by the petitioner against father, uncle and others.

In the instant case, it is alleged that this petitioner caught hold the informant in his house and committed rape with her.



Medical report of the victim is annexed as Annexure-4, wherein, doctor has found no external injury on private part of the victim. Doctor has opined that there was no sign of rape. She seems to be habituated to sexual intercourse.

The victim has been examined under Section 164 Cr.P.C., wherein, she has stated that petitioner has committed illegal act with her, but her medical report does not support the statement.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released 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 **Special Judge, POCSO, Patna**, in connection with **Special Case No.73 of 2018 arising out of Bypass P.S. Case No.117 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

**JA/-
Rohit Kr.**

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