

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64714 of 2018

Arising Out of PS. Case No.-68 Year-2018 Thana- MAHILA P.S. District- Araria

Md. Shamser @ Shera @ Md. Shamsher Khan, S/o Md. Salim @ Md. Salim Khan, Resident of Village- Gachhi Tola, Ward No. 24, P.S. Araria, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-10-2018 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in Spl. (POCSO) Case No. 32/18 arising out of Araria Mahila P.S. case no. 68 of 2018, instituted for the offence under Section 376 of the Indian Penal Code and Section 3/4 of the POCSO Act.

The informant has alleged in the written report that on the date of occurrence while she was returning to her house and when she reached near the clinic of Dr. Satyabardhan, one boy, namely, Jhunnu met her and gave the informant water to drink and thereafter she became senseless. When she regained her sense, she found herself in Sadar Hospital, Araria. It is further alleged that father of the informant claimed that rape



has been committed with her by said co-accused, namely, Jhunnu.

The statement of the victim girl has been recorded under Section 164 Cr.P.C., wherein, she has improved her case and has named this petitioner along with other accused persons. Petitioner is in custody since 14.7.2018.

Considering the aforesaid, 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 1st Addl. Sessions -cum Spl. Judge, Araria, in connection with Spl. (POCSO) Case No. 32/18 arising out of Araria Mahila P.S. case no. 68 of 2018 subject to the condition that both the bailers shall be the close relative of the petitioner.

(Sanjay Priya, J)

shyambihari/-

U		T	
---	--	---	--

