

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29963 of 2018

Arising Out of PS. Case No.-1 Year-2018 Thana- CHANPATIA District- West Champaran

Badan Yadav @ Kamlesh Yadav S/o Mahanghu Yadav, R/o Vill.- Senwariya,
P.S.- Chanpatiya (Sirisiya O.P.), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 19-07-2018 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Chanpatiya (Sirisiya O.P.) P.S. Case No. 01 of 2018, registered for the offence punishable under Sections 376 of the Indian Penal Code and Section 4 of the POCSO Act.

The allegation is regarding the accused persons having indulged in committing untoward incident with the victim girl.

The learned counsel for the petitioner submits that the statement of the victim girl made under Section 164 Cr.P.C. before the Magistrate would show that the petitioner had in fact not committed rape upon the victim girl. It is further submitted that the medical examination of the victim girl also shows that no sexual intercourse had taken place. The petitioner is stated to



be having a clean antecedent and he is languishing in custody since 06.01.2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Session Judge Cum Special Judge 1st, Bettiah, West Champaran in connection with Chanpatiya (Sirisiya O.P.) P.S. Case No. 01 of 2018.

(Mohit Kumar Shah, J)

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