

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74678 of 2018

Arising Out of PS. Case No.-240 Year-2018 Thana- BARAUNI District- Begusarai

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Murari Kumar, Son of Baijnath Malakar @ Baidhnath Malakar @ Baijnath Bhagat, Resident of Village- Chakia, Naya Tola, P.S.- Barauni, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 13-12-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **POCSO Case No.48 of 2018** arising out of Barauni P.S. Case No.240 of 2018 instituted for the offence under Section(s) 342, 376, 379, 504, 506 Indian Penal Code and Section 4 of the POCSO Act.

It is alleged in the written report that on 08.06.2018 in the night at about 3'o clock while the informant had gone to attend call of nature, this petitioner after pressing her mouth at the point of pistol took her to his house and committed rape with her after confining in a room.

Supplementary Affidavit has been filed today in Court annexing medical report of the victim girl as Annexure-2.



The Medical Board comprising four Doctors have assessed the age of the victim between 17-19 years. The doctor has found no injury on genitalia. Hymen was intact. Doctor has also not found any spermatozoa in medical examination.

Counsel for the petitioner submits that Petitioner is in custody since 11.07.2018 having clean antecedents.

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 bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Sessions Judge 1st cum Special Judge, Begusarai**, in connection with **POCSO Case No.48 of 2018 arising out of Barauni P.S. Case No.240 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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