

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39557 of 2018

Arising Out of PS.Case No. -60 Year- 2017 Thana -VALMIKINAGAR District-
WESTCHAMPARAN(BETTIAH)

=====

Anil Manjhi S/o Prajapati Manjhi @ Prajapati Mushhar R/o Village -
Karmahwa Tola - Bhedihari, P.S. - Valmikinagar, District - West
Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 07-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
12.07.2017 in connection with POCSO Case No. 14 of 2017
arising out of Valmikinagar P.S. Case No. 60 of 2017 for offences
punishable under Sections 376 of the Indian Penal Code and under
Sections 4 and 8 of POCSO Act.

The prosecution case, as lodged by the informant, is
that while he used to go out for work his daughter Bedanti Devi 13
years of age was in the house and the petitioner finding her alone
came to the house and committed rape on which she became
pregnant and has a 5-6 months pregnancy. On being enquired, the



petitioner and his mother assaulted them and turned them away.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated on the basis of village rivalry. He submits that during trial the victim has not named the petitioner and the informant has also turned hostile. The deposition is at Annexure-2 of the application. He further submits that the petitioner is ready to co-operate in the trial on day to day basis.

However, learned APP for the State opposes the prayer for bail.

A report was called for from the court of learned Additional District and Sessions Judge, 1st, Bagaha, West Champaran. A report has been received dated 11.07.2018 that three witnesses have been examined and three more witnesses are to be examined.

Considering the facts and circumstances and the materials on record as well as the period of custody, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Ist Additional District Judge-cum-Special Judge, POCSO, Bagaha, West Champaran, in



connection with POCSO Case No. 14 of 2017 arising out of Valmikinagar P.S. Case No. 60 of 2017, subject to the conditions that:

(1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/Priyanka

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

