

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46045 of 2018

Arising Out of PS.Case No. -204 Year- 2018 Thana -JAYNAGAR District- MADHUBANI

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Santos Yadav @ Santosh Kumar Yadav, Son of Suryanarayan Yadav,
Resident of Village- Gobarahi, Ward No.10, P.S.- Jainagar, District-
Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 05-10-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Jainagar P.S. Case No.
204 of 2018 instituted for the offence under Sections 376, 341,
504, 323/34 of the Indian Penal Code and Section 4 of POCSO
Act.

In the written report it is alleged that petitioner on the
point of pistol took the informant in nearby bush and committed
illegal act with her.

Case diary has been received.

Medical report of the victim girl is available in the case
diary which shows that she has been examined on the next day of
the occurrence i.e. on 26.04.2018. The Doctor has not found any
external or internal injury over her body or on her private parts.



No spermatozoa were found. The Doctor has opined that no medical evidence of rape found at the time of examination. The Medical Board has assessed the age of victim girl as 14 years. Xerox copy of Medical Report has also been enclosed as Annexure-2.

Counsel for the petitioner submits that no statement of victim girl has been recorded under Section 164 Cr. P.C.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner 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 learned Additional Sessions Judge, 1st, Madhubani, in connection with in Jainagar P.S. Case No. 204 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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