

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8126 of 2019

Arising Out of PS. Case No.-77 Year-2017 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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BABLU SINGH S/o Late Ramnandan Singh Resident of Village – Kshema,
P.S. Sheikhopur Sarai, District-Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gyanendra Kumar Singh
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-02-2019 Heard both sides.

The petitioner apprehends his arrest in Sheikhopur Sarai P.S. Case No.77 of 2017 registered under Sections 363, 366(A) and 34 of the Indian Penal Code and under Section 8 of POCSO Act.

The father of the victim alleged that his minor daughter became trace less. During the course of search, it transpired that one Dhiraj Kumar with the help of other accused persons namely, Tanna Kumar, Diwakar Kumar and Mantun Kumar enticed his daughter for the purpose of marriage.

The learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. Name of the petitioner figured in the case in the statement of the victim recorded under



Section 164 Cr.P.C. but the victim did not allege any overt act against the petitioner. The victim simply alleged that the petitioner along with the other accused persons came on a Bolero and took her to different place. The victim made specific allegation against Dhiraj Kumar and Musan Singh who are alleged to have committed rape with the victim. Similarly situated other accused persons namely, Kalpana Devi and others have been granted anticipatory bail.

Having considered the facts that informant did not name the petitioner in the First Information Report but his daughter disclosed the name of the petitioner that the petitioner was also accompanying other accused persons while she was being taken in the Bolero Jeep and she further disclosed that Dhiraj Kumar solemnised marriage with her and thereafter, Dhiraj Kumar and Musan Singh committed rape with her but no specific allegation is made against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge Ist, Sheikhpura in connection



with Sheikhopur Sarai P.S. Case No.77 of 2017, POCSO Case
No.29 of 2017, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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