

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6887 of 2019

Arising Out of PS. Case No.-195 Year-2018 Thana- KONCH District- Gaya

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Bablu @ Pinku Paswan @ Bablu Kumar (Male), aged about 20 years, son of
Gora Paswan @ Amrika Paswan, resident of village - Kamaldah, P.S-
Paraiya, Distt.-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in POCSO Case No.56 of 2018
arising out of Konch P.S. Case No. **195 of 2018** registered for
the offence punishable under Sections 395, 397, 376(D), 376(3)
and 376(DA) of the Indian Penal Code, Section 6 of the
Prevention of Children from Sexual Offence Act, 2012.

F.I.R. was registered against 10 unknown persons who
have committed rape upon informant's wife and his daughter.

It has been submitted on behalf of the petitioner that he
is innocent and has been falsely implicated in this case due to
local politics. It has further been submitted that petitioner has
been put on TIP but he was not identified. It has been further
submitted that name of the petitioner has surfaced in this case



on the confessional statement made by the co-accused, Nitish Kumar @ Bagra and except said confessional statement, there is no any other incriminating material against the petitioner. Petitioner is in custody since 22.06.2018. Similarly, situated co-accused person has been granted bail by this Court as contained in Annexure 2.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 1st -cum- Special Judge (POCSO Act), Gaya in connection with POCSO Case No.56 of 2018 arising out of Konch P.S. Case No. **195 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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